

FEDERAL REGISTER



VOLUME 9

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Washington, Thursday, December 28, 1944

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 54—ANNUAL AND SICK LEAVE REGULATIONS

By virtue of section 7.1, Executive Order 9414 (9 F.R. 623) the Commission is authorized, for the period of the war, to promulgate amendments to the leave regulations prescribed by the order. Parts 54 and 55 of Title 5 (5 CFR, Cum. Supp.), are consolidated and Executive Order 9414 as hereby amended is codified as Part 54 of this Title. Sections 3.7 and 4.4 of Executive Order 9414 are revoked. Sections 1.1, 2.1, 2.3, 3.5, 3.6, 4.2, 4.3, 4.6 to 4.11 inclusive are amended. Sections 54.1 (k) and 54.2 (a) (1) (iv) of this part are new.

Sec.	
54.1	Definitions.
54.2	Annual leave.
54.3	Sick leave.
54.4	General provisions.
54.5	Administration.
54.6	Employees excepted.

AUTHORITY: §§ 54.1 to 54.6, inclusive, issued under act of March 14, 1938 (49 Stat. 1161) as amended by act of December 17, 1942 (56 Stat. 1052) and act of March 14, 1936 (49 Stat. 1162), as amended by act of March 2, 1940 (54 Stat. 38), and E.O. 9414 (9 F.R. 623).

§ 54.1 Definitions. As used in this part:

(a) "Employee" and "employees" include officer and officers, respectively.

(b) "Permanent employees" are those appointed without limitation as to length of service or for definite periods in excess of one year, or for the duration of the present war and for six months thereafter.

(c) "Temporary employees" are those appointed for definite periods of time not exceeding one year.

(d) "Indefinite employees" are those appointed for the "duration of the job" and those who, although paid only when actually employed, are continuously employed or required to be available for

duty for a period of not less than one month, as distinguished from part-time or intermittent employees.

(e) "Accumulated leave" means the unused leave remaining to the credit of the employee at the close of any calendar year.

(f) "Court leave" means leave for attending court as a witness on behalf of the United States or the Government of the District of Columbia, or for jury duty.

(g) "Break in service" means separation from the Federal service for a period of thirty or more calendar days.

(h) "Medical certificate" means a written statement signed by a registered practicing physician or other practitioner, certifying to the period of disability of the patient while he was undergoing professional treatment, or to the time of dental or optical treatments, or medical examination.

(i) "Month of service" means a period in a pay status covering a full calendar month or beginning on any date of a calendar month and ending at the close of business of the preceding date in the next calendar month.

(j) "Terminal leave" means the period between the last day of duty and the expiration of annual leave.

(k) "Contagious disease" means a disease ruled as subject to quarantine as defined by the health authorities having jurisdiction.

§ 54.2 Annual leave—(a) Accrual of annual leave. (1) Annual leave shall be credited to employees as follows:

(i) Permanent employees shall be credited with leave at the rate of two days per calendar month plus an additional $\frac{1}{2}$ day in March, June, September, and December to employees who were continuously employed for the entire quarter-year ending in such months; or, a credit of 26 days may be given at the beginning of the calendar year in which it accrues in lieu of the monthly credit: *Provided*, That should an employee separate from the service before the expiration of the calendar year such credit will be reduced proportionately. The minimum credit for leave shall be the hourly equivalent of $\frac{1}{2}$ day, and additional credits shall be in multiples thereof.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.
- Book 5, Part 2: Title 26, completed; Title 27; with index.
- Book 6: Titles 28-32, with index.
- Book 7: Titles 33-45, with index.
- Book 8: Title 46, with index.
- Book 9: Titles 47-50, with index.

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(ii) Temporary employees shall be credited with leave of 2½ days for each month of service. After the first month of service such leave may be credited at the beginning of the month in which it accrues.

(iii) Indefinite employees shall be credited with leave of two days for each month of service plus an additional ½ day when the service aggregates three months.

(iv) Because of the difference in crediting leave to temporary and indefinite employees and permanent employees the following method shall be followed in crediting leave when a temporary or indefinite appointment is converted to a permanent appointment prior to the end of the service month: Service as a permanent employee shall be counted as temporary or indefinite service for the purpose of completing the month of service. Leave shall be credited for the remainder of the calendar month as a permanent employee.

(2) Accumulated annual leave may be carried forward for use in succeeding years until it totals not exceeding 60 days: *Provided*, That during the period of the present emergency 30 days additional leave may be accumulated: *Provided further*, That when accumulated

leave equals or exceeds 60 days, further increase in accumulated leave shall be limited to 15 days in any succeeding year.

(b) *Grant of annual leave.* (1) Annual leave shall be granted to an employee at such times as the heads of the departments and agencies may prescribe. Permanent employees during their first year of service shall not be granted leave in excess of the amount accrued to their credit. Temporary and indefinite employees shall not be granted leave until immediately prior to the end of the month in which it is earned. The minimum charge for annual leave shall be one hour, and additional leave shall be charged in multiples of one hour.

(2) An employee who is to be separated from the service shall be entitled to the unused annual leave standing to his credit, and the date of his separation shall be so fixed as to permit him to take such leave, and in no case, whether the separation be voluntary or involuntary, shall the separation become effective on a date prior to the date of termination of such leave: *Provided*, That an employee who elects to forfeit the leave standing to his credit may do so by filing a written notice to such effect.

(3) When an employee is absent from duty and in attendance in court as a witness in behalf of the United States or the Government of the District of Columbia, or for jury duty in any State court or court of the United States, the absence from duty shall not be charged against annual leave but should be recorded as "court leave".

§ 54.3 *Sick leave*—(a) *Accrual of sick leave.* (1) (i) Permanent employees shall be credited with sick leave at the rate of $1\frac{1}{4}$ days per month. The minimum credit for sick leave shall be one hour, and additional credits shall be in multiples thereof.

(ii) Temporary and indefinite employees shall be credited with $1\frac{1}{4}$ days of sick leave for each month of service.

(iii) Sick leave accruing during any month of service shall be available at any time during that or any subsequent month.

(2) Unused sick leave shall be cumulative and available for future use: *Provided*, That the balance to the credit of the employee at the end of any month shall not exceed ninety days.

(b) *Grant of sick leave.* (1) Sick leave shall be granted to employees when they are incapacitated for the performance of their duties by sickness, injury, or pregnancy and confinement, or for medical, dental or optical examination or treatment, or when a member of the immediate family of the employee is afflicted with a contagious disease and requires the care and attendance of the employee, or when, through exposure to contagious disease, the presence of the employee at his post of duty would jeopardize the health of others. The minimum charge for sick leave shall be one hour, and additional leave shall be charged in multiples of one hour.

(2) An employee who is absent on account of sickness shall notify his supervisor as early as practicable on the first

day of such absence, or as soon thereafter as possible. Failure to give such notice may result in the absence being charged to annual leave or leave without pay, as the circumstances may justify. Requests for sick leave for medical, dental, or optical examination or treatment shall be submitted for approval prior to the beginning of the leave.

(3) Written application on the prescribed form for grant of sick leave shall be filed within two days after the employee returns to duty. In no case shall a medical certificate be required to support the application for periods of absence of three days or less. For periods of absence in excess of three work days the application must be supported by a medical certificate, or other evidence administratively acceptable, which must be filed within fifteen days after return to duty: *Provided*, That in lieu of a medical certificate, a signed statement of the employee indicating the nature of the illness and the reason why a medical certificate is not furnished may be accepted whenever it is unreasonable to obtain such certificate because of a shortage of physicians, remoteness of locality, or because the circumstances surrounding the employee's illness do not require the services of a physician. The agency shall determine administratively whether the statement of the employee in lieu of a medical certificate shall be considered sufficient evidence to support the request for sick leave. All applications for sick leave for medical, dental, or optical examination or treatment shall be supported by a certificate of the employee that he has received such examination or treatment and shall include the name and address of the physician, dentist, or other practitioner visited and the date and hour of visit.

(4) When sickness occurs within a period of annual leave and lasts five or more consecutive work days, the period of illness may be charged as sick leave and the charge against annual leave reduced accordingly. Application for such substitution of sick leave for annual leave shall be made within two days after return to duty and shall be supported by a medical certificate, or other evidence administratively acceptable to the same extent as provided in subparagraph (3) of this paragraph.

(c) *Advance of sick leave.* (1) In cases of serious disability or ailments, and when the exigencies of the situation so require, sick leave may be advanced to permanent and indefinite employees not in excess of 30 days: *Provided*, That no advances of sick leave shall be made to any employee unless the absence from duty on account of illness is for a period, or periods, of 5 or more consecutive work days; that every application for advance leave shall be supported by a medical certificate; that the total of such advances shall be charged against sick leave subsequently credited. Sick leave may be advanced irrespective of whether the employee has annual leave to his credit.

(2) Sick leave shall not be advanced to an employee holding a limited appointment, or one expiring on a specified date,

in excess of the total sick leave that would accrue during the remaining period of such appointment.

§ 54.4 *General provisions.* (a) (1) Leave shall be credited in units of hours on the basis of the established work day. Fractional parts of an hour that equal or exceed $\frac{1}{2}$ hour shall be counted as one hour and fractions of less than $\frac{1}{2}$ hour shall be disregarded.

(2) Whenever the number of hours of duty in an employee's work day is permanently changed the leave standing to his credit shall be converted to the proper number of hours based upon the new work day.

(3) The accumulated leave of each employee, as of December 31, 1943, shall be converted from days-hours-minutes to units of hours. Fractional parts of an hour that equal or exceed $\frac{1}{2}$ hour shall be counted as one hour and fractions of less than $\frac{1}{2}$ hour shall be disregarded.

(b) (1) Leave shall accrue to an employee while in a leave-with-pay status providing he returns to duty.

(2) Leave shall not accrue to an employee while on terminal leave, whether by separation, furlough, or resignation. In such cases the accrual of leave shall cease at the close of the last day on which he was present for duty, and the final date of separation shall not be extended by the granting of sick or court leave: *Provided*, That employees who are restored in accordance with statutory provisions to civilian positions after military, naval or merchant marine service may be credited with leave accrued during the period of terminal leave granted immediately prior to entry into active military, naval, or merchant marine service.

(c) Whenever a permanent employee is absent 15 or more days during a calendar year in a non-pay status (including suspensions) the credits for annual leave shall be reduced one day and for sick leave $\frac{1}{2}$ day for each period aggregating 15 days. Whenever such absences total 90 days, there shall be a further reduction of $\frac{1}{2}$ day in annual leave credits for such period: *Provided*, That when an employee absent because of injury received in line of duty requests to be carried on leave-without-pay, he shall, upon his return to duty, receive credit for accrued leave covering the period for which he was paid disability compensation by the Employees' Compensation Commission.

(d) Leave shall be charged only for absence upon days which an employee would otherwise work and receive pay and shall be exclusive of Sundays which do not occur within a regular tour of duty, holidays, and all non-work days established by Federal statute or by Executive or administrative order: *Provided*, That when a holiday is declared by general administrative order to be a work day, an employee who absents himself from work without permission on that day shall be subject to a deduction of one day's pay.

(e) Under ordinary circumstances unavoidable or necessary absence from duty not in excess of thirty minutes, and

tardiness, shall be excused for adequate reasons, or handled administratively by requiring additional work, or by a charge against overtime previously worked beyond regular hours. In the event that this privilege is abused such absences, and tardiness, shall be handled administratively by a charge against annual leave, or by disciplinary action.

(f) In case of the separation of an employee who is indebted for advance leave, the employee shall refund the amount paid him for the period of such excess, or deduction therefor shall be made from any salary due him. This paragraph shall not apply in cases of death, retirement for disability, or reduction of force, or in case an employee who is not found eligible for retirement is unable to return to duty because of disability, evidence of which shall be supported by an acceptable medical certificate.

(g) Leave without pay may be granted to an employee for a period not exceeding twelve months regardless of whether he has leave standing to his credit: *Provided*, That an employee absent because of injuries received in line of duty may be carried on leave without pay for the period for which he is paid disability compensation by the Employees' Compensation Commission.

(h) When an employee is appointed, reappointed, or transferred from one permanent or indefinite position to another permanent or indefinite position, without a break in service, his leave account shall be disposed of as follows: If the position is within the purview of the leave acts of March 14, 1936, the leave account shall be certified to the employing agency for credit or charge to the employee.

(i) When an employee is appointed, reappointed, or transferred without a break in service from a permanent or indefinite position to a temporary position, his leave account shall be disposed of as follows:

(1) If the position is in the same agency he shall be credited with such leave as may be due him or charged with any unaccrued leave which may have been advanced.

(2) If the position is in a different agency he shall be furnished with a statement of his leave account and if subsequently he is appointed, reappointed, or transferred without a break in service to a permanent or indefinite position the amount of leave shown to be due shall be credited to his account: *Provided*, That in the discretion of the agency to which transferred, the leave shown to be due him may be credited to him in the temporary position.

(j) Temporary employees who subsequently receive permanent or indefinite appointments without break in service, either in the same or a different department or agency, shall be credited with such leave as may be due them.

§ 54.5 *Administration*. (a) The heads or governing bodies of the various governmental agencies to which the regulations in this part apply shall be responsible for the proper administra-

tion of these regulations so far as they pertain to employees under their respective jurisdictions, and they shall maintain an account of leave for each employee in accordance with methods prescribed by the Commission and approved by the Director of the Bureau of the Budget.

(b) The head or governing body of any governmental agency which has employees who work 24-hour shifts, or other uncommon tours of duty, is authorized to promulgate supplemental regulations consistent with the regulations in this part for administering leave for such employees.

(c) Nothing in the regulations in this part shall be construed to prevent the continuance of any leave differential existing prior to January 1, 1936, for the benefit of employees of the Federal Government stationed without the continental limits of the United States. However, any department may, if it so desires, apply the regulations in this part to employees stationed without the continental limits of the United States, subject to the continuance of such leave differential.

§ 54.6 *Employees excepted*. (a) The regulations in this part shall not apply to:

(1) Teachers and librarians of the public schools of the District of Columbia.

(2) Officers and employees of the Panama Canal and the Panama Railroad Co., on the Isthmus of Panama.

(3) Temporary employees engaged on construction work at hourly rates.

(4) The Postmaster General and officers and employees in or under the Post Office Department, except those serving in the departmental service and in the Mail Equipment Shops.

(5) Employees not required to be continuously employed during regular tour of duty, such as (i) per diem or per hour employees engaged in an emergency who may be employed for more than one 7- or 8-hour shift within 24 hours during the emergency; (ii) part-time or intermittent employees; (iii) persons engaged under contract; (iv) employees engaged temporarily for less than a month on a piece-price basis; (v) employees who are paid at hourly rates but who are not engaged on construction work, such as mechanics, skilled laborers, and others engaged in various services on maintenance, repair, clean-up work, etc., where employment is more or less intermittent and not on a regular and continuous basis; (vi) consultants employed and paid on the basis of "when actually employed"; and (vii) employees paid on a fee basis, such as physicians, surgeons, and other consultants.

(6) Alien and native labor employed outside the continental limits of the United States: *Provided*, That the head or governing body of any governmental agency which employs alien and native labor outside the continental limits of the United States may promulgate regulations governing the granting of leave to such employees.

(b) The regulations in this part relating to sick leave shall not apply to of-

ficers and members of the Police and Fire Departments of the District of Columbia other than civilian personnel.

Effective date. These regulations in this part, prescribed by Executive Order No. 9414 as hereby amended shall be effective as of January 1, 1945.

Note: The provision in Executive Order 9414 which authorizes the Commission to issue amendments reads as follows: "Section 7.1. By virtue of the authority vested in me by the First War Powers Act, 1941, (55 Stat. 838), it is hereby ordered that, for the period of the war, the Civil Service Commission is authorized to promulgate amendments to these regulations."

Executive Order No. 9414, January 13, 1944, (9 F.R. 623) superseded Executive Orders No. 8384 (5 F.R. 1253) and No. 8385 (5 F.R. 1256) of March 29, 1940, No. 9307 of March 3, 1943 (8 F.R. 2897) and No. 9371 of August 24, 1943, (8 F.R. 11887) and was effective as of January 1, 1944.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

DECEMBER 15, 1944.

[F. R. Doc. 44-19530; Filed Dec. 27, 1944;
9:13 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 10—FEDERAL LAND BANKS GENERALLY

INSURANCE REQUIREMENTS FOR BANK AND COMMISSIONER LOANS

Part 10 of Title 6, Code of Federal Regulations is hereby amended as follows:

Section 10.190-50 is amended and § 10.198 is added to read as follows:

§ 10.190-50 *Circumstances under which mortgagor's option to use loss proceeds does not obtain*. The option of the mortgagor referred to in these regulations shall not apply in the case of (a) any sum received under a policy of insurance which was not provided or paid for by the mortgagor, or (b) any sum with respect to which liability to the mortgagor is denied by the insurer, unless and until such denial be rescinded or until final judgment of a court of competent jurisdiction that the insurer is liable to the mortgagor. In either event the mortgagor shall initiate the steps otherwise necessary under these regulations for the exercise of his option within 30 days after the establishment of the liability of the insurer to him for such loss. (Sec. 12 "Ninth", 39 Stat. 370; 12 U.S.C. 771 "Ninth")

§ 10.198 *Nonapplicability of regulations*. The provisions of §§ 10.190 through 10.197 are not applicable in the case of settlements of losses on buildings not required by the regulations to be insured. (Sec. 12 "Ninth", 39 Stat. 370; 12 U.S.C. 771 "Ninth")

[SEAL] J. R. ISLEIB,
Acting Land Bank Commissioner.

[F. R. Doc. 44-19574; Filed, Dec. 27, 1944;
11:25 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry
Subchapter D—Exportation and Importation of Animals and Animal Products
[B. A. I. Order 379]PART 92—IMPORTATION OF LIVESTOCK INTO THE UNITED STATES (EXCEPT FROM MEXICO)¹

Under authority of sections 6, 7, 8, and 10 of the Act of Congress approved August 30, 1890, entitled "An Act providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases and for other purposes," as amended (21 U.S.C. 1940 ed. 101-105), and of the act of Congress approved February 2, 1903, entitled "An Act to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of livestock, and for other purposes," as amended (21 U.S.C. 1940 ed. 111-113, 120-122), Part 92 of Title 9, Chapter I, Subchapter D, Code of Federal Regulations [B. A. I. Order 352, as amended], is hereby amended, effective February 1, 1945, to read as follows:

Sec.
 92.1 Definitions.
 92.2 General prohibition.
 92.3 Ports designated for the importation of animals.
 92.4 Permits for ruminants and swine.
 92.5 Certificates for ruminants and swine.
 92.6 Diagnostic tests of cattle.
 92.7 Presentation of papers to collector of customs.
 92.8 Inspection at port of entry.
 92.9 Articles accompanying animals.
 92.10 Movement from vessels to quarantine station.
 92.11 Periods of quarantine.
 92.12 Feed and attendants for animals in quarantine.
 92.13 Quarantine stations; visiting restricted; sales prohibited.
 92.14 Milk from quarantined animals.
 92.15 Manure from quarantined animals.
 92.16 Appearance of disease among animals in quarantine.
 92.17 Horses; accompanying forage and equipment.
 92.18 Dogs for handling livestock.
 92.19 Animals from Canada; declaration of purpose.
 92.20 Cattle from Canada.
 92.21 Sheep and goats from Canada.
 92.22 Swine from Canada.
 92.23 Animals from Canada for slaughter.
 92.24 Horses from Canada.
 92.25 In-bond shipments from Canada.
 92.26 Animals from Central America and the West Indies; permits required.
 92.27 Ruminants from Central America and the West Indies.
 92.28 Swine from Central America and the West Indies.
 92.29 Horses from Central America and the West Indies.

AUTHORITY: §§ 92.1 to 92.29, inclusive, issued under secs. 6, 7, 8 and 10, 26 Stat. 414, as amended by 44 Stat. 774; 32 Stat. 791 as amended; 21 U. S. C. 101-105, 111-113, 120-122.

¹ Importations from Mexico are governed by special regulations contained in Part 93 of this chapter (9 CFR, Cum. Supp., Part 93; 9 FR. 10844, 11884).

§ 92.1 *Definitions.* Whenever in §§ 92.1 to 92.29, inclusive, the following words, names, or terms are used they shall be construed, respectively, to mean:

(a) *Department.* The United States Department of Agriculture.

(b) *Bureau.* The Bureau of Animal Industry of the Department.

(c) *Chief of Bureau.* Chief of the Bureau of Animal Industry.

(d) *Animals.* Cattle, sheep, goats, other ruminants, swine, horses, asses, mules, zebras, and dogs.

(e) *Cattle.* Animals of the bovine species.

(f) *Ruminants.* All animals which chew the cud, such as cattle, buffaloes, sheep, goats, deer, antelopes, camels, llamas, and giraffes.

(g) *Swine.* The domestic hog and various varieties of wild hogs.

(h) *Horses.* Horses, asses, mules, and zebras.

(i) *Communicable disease.* Any contagious, infectious, or communicable disease of domestic livestock or other animals.

(j) *Inspector.* An inspector of the Bureau of Animal Industry.

(k) *Recognized slaughtering center.* Any point where slaughtering operations are regularly carried on and where Federal, State, or recognized local inspection is maintained.

(l) *Accredited areas.* Areas in Canada in which the percentage of cattle infected with tuberculosis is officially declared to be less than one-half of 1 percent.

(m) *Restricted areas.* Areas in Canada that are in process of becoming accredited as defined in the preceding paragraph (l).

§ 92.2 *General prohibition.* No person, firm, or corporation shall import or bring into the United States any of the animals covered by the regulations in this part except in accordance with the provisions thereof; nor shall any animal or animals be handled or moved after physical entry into the United States and before final release from quarantine or any other form of governmental detention except in compliance with the regulations in this part.

§ 92.3 *Ports designated for the importation of animals*—(a) *Ocean ports.* With the approval of the Secretary of the Treasury the following ports are hereby designated as quarantine stations and all ruminants and swine except those from Canada and Mexico shall be entered through said stations, viz: Boston, Mass.; New York, N. Y.; Baltimore, Md.; Jacksonville and Miami, Fla.; San Juan, P. R.; New Orleans, La.; Galveston, Tex.; San Diego, Los Angeles, and San Francisco, Calif.; Portland, Oreg.; Tacoma and Seattle, Wash.; and Honolulu, Hawaii.

(b) *Canadian border ports.* The following stations in addition to those specified in paragraph (a) of this section are designated as ports for the entry of animals from Canada: Eastport, Calais, Vanceboro, Houlton, Monticello, Bridgewater, Fort Fairfield, Limestone, Van Buren, Madawaska, Fort Kent, Jackman, and Houlton, Maine; Beecher Falls (Cana-

an), Island Pond, Derby Line, North Troy, Newport, Richford, St. Albans, Highgate Springs, and Alburg, Vt.; Rouses Point, Mooers Junction, Chateaugay, Malone, Fort Covington, Hogansburg, Roosevelttown, Waddington, Ogdensburg, Morristown, Alexandria Bay, Charlotte, Niagara Falls, and Buffalo, N. Y.; Detroit, Port Huron, and Sault Ste. Marie, Mich.; Noyes, Minn.; Pembina and Portal, N. Dak.; Sweetgrass, Mont.; Eastport and Porthill, Idaho; Spokane, Laurier, Oroville, Nighthawk, Sumas, Blaine, and Lynden, Wash.; and Juneau and Skagway, Alaska. In special cases other ports may be designated under this paragraph by the Chief of Bureau with the concurrence of the customs authorities.

§ 92.4 *Permits for ruminants and swine.* For ruminants and swine intended for importation from any part of the world except Canada and Mexico, and except as provided in § 92.26, the importer shall first obtain from the Bureau a permit in two sections. One section will be for presentation to the American consulate in the district which includes the port of shipment and the other for presentation to the collector of customs at the port of entry specified therein. The animals will be received at the specified port on the date prescribed for their arrival or at any time during 3 weeks immediately following, after which time the permit shall be void. Animals will not be eligible for entry if shipped from any foreign port other than that designated in the permit.

§ 92.5 *Certificates for ruminants and swine.* All ruminants and swine offered for importation from any part of the world except Mexico and countries of Central America and the West Indies shall be accompanied by a certificate of a salaried veterinary officer of the national government of the country of origin, stating that such animals have been kept in said country at least 60 days immediately preceding the date of movement therefrom and that said country during such period has been entirely free from foot-and-mouth disease, rinderpest, contagious pleuropneumonia, and surra: *Provided, however,* That certificates for wild ruminants or wild swine for exhibition purposes need specify freedom from the said diseases of the district of origin only: *And provided further,* That in the case of sheep, goats, and swine the certificate, as far as it relates to contagious pleuropneumonia, may specify freedom from such disease of the district of origin only. For domestic swine the certificate shall also show that for 60 days immediately preceding the date of movement from the premises of origin no hog cholera, swine plague, or erysipelas has existed on such premises or on adjoining premises.

§ 92.6 *Diagnostic tests of cattle*—(a) *Certificates showing negative tests for tuberculosis and brucellosis required.* Except as provided in § 92.20, all cattle offered for importation from countries other than Mexico, except for immediate slaughter, shall be accompanied by a satisfactory certificate of a salaried veteri-

nary officer of the national government of the country of origin showing that the animals have been tested for tuberculosis and brucellosis with negative results within 30 days of the date of their exportation: *Provided*, That the brucellosis test will not be required for steers, spayed heifers, or any cattle less than 6 months old. The said certificate shall give the dates and places of testing, names of the consignor and consignee, and a description of the cattle, with breed, ages, and markings.

(b) *Further tests during quarantine.* Cattle that have been tested as prescribed in the preceding paragraph (a), and that are subject to quarantine at the port of entry as provided in § 92.11, shall be retested during the last 10 days of the quarantine period under the supervision of a veterinary inspector, by one or more of the methods approved by the Chief of Bureau.

§ 92.7 *Presentation of papers to collector of customs.* The certificates and affidavits required by the regulations in this part shall be presented by the importer to the collector of customs at said port upon arrival of the animals at the port of entry.

§ 92.8 *Inspection at port of entry.* Except as provided in §§ 92.24, 92.25 and 92.29, all horses, ruminants, and swine offered for importation from any part of the world except Mexico shall be inspected at the port of entry, and all such animals found to be free from disease and not to have been exposed to any contagious disease shall be admitted subject to the other provisions of the regulations in this part. Animals found to be affected with a contagious disease or to have been exposed thereto shall be refused entry and, unless returned to the country of origin, shall be dealt with thereafter in accordance with the provisions of section 8 of the act of August 30, 1890. Such portions of the transporting vessel, and of its cargo, as have been exposed to those animals or their emanations shall be disinfected in such manner as may be considered necessary by the inspector in charge at the port of entry, before the cargo is allowed to land.

§ 92.9 *Articles accompanying animals.* No litter or manure, fodder or other aliment, nor any equipment such as boxes, buckets, ropes, chains, blankets, or other things used for or about animals governed by the regulations in this part, shall be landed from any vessel except under such restrictions as the inspector in charge at the port of entry shall direct.

§ 92.10 *Movement from vessels to quarantine station.* Platforms and chutes used for handling imported ruminants or swine shall be cleaned and disinfected under Bureau supervision after being so used. The said animals shall not be unnecessarily moved over any highways nor allowed to come in contact with other animals, but shall be transferred from the wharves to the quarantine grounds in boats, cars, or vehicles approved by the inspector in charge at the port of entry. Such cars, boats, or

vehicles shall be cleaned and disinfected under Bureau supervision immediately after such use, by the carrier moving the same. The railway cars so used shall be either cars reserved for this exclusive use or box cars not otherwise employed in the transportation of animals or their fresh products. When movement of the aforesaid animals upon or across a public highway is unavoidable, it shall be under such careful supervision and restrictions as the inspector in charge at the port of entry and the local authorities may direct.

§ 92.11 *Periods of quarantine.* (a) *Cattle.* Cattle imported from any part of the world except Canada, Mexico, Central America, and the West Indies shall be quarantined for not less than 30 days, counting from the date of arrival at the port of entry.

(b) *Other ruminants and swine.* Swine and ruminants other than cattle from any part of the world except Canada, Mexico, Central America, and the West Indies shall be quarantined for not less than 15 days, counting from the date of arrival at the port of entry. During their quarantine, wild ruminants and wild swine shall be subject to such inspections, disinfection, blood tests, or other tests as may be required by the Chief of Bureau to determine their freedom from disease and the infection of disease.

§ 92.12 *Feed and attendants for animals in quarantine.* Importers of animals subject to quarantine under the regulations in this part shall arrange for their care, feeding, and handling from the time of unloading at the port of entry to the time of release from quarantine. At ports where facilities are not maintained by the Bureau importers shall provide suitable facilities for the quarantine of such animals, subject in all cases to the approval of the inspector in charge at the port of entry. Each owner, or his agent, shall give satisfactory assurance to the inspector at the time of quarantine that such provision will be made. Owners shall keep clean, to the satisfaction of such inspector, the sheds and yards occupied by their animals. If for any cause owners of animals refuse or neglect to supply feed and attendants, the said inspector will furnish the same. The feed and care so furnished shall be at the expense of the owner of the animals, and the charges therefor shall be a lien on the animals.

After the expiration of one-third of the quarantine period, if payment has not been made, the owners of the animals will be notified by the inspector that if said charges are not immediately paid, or satisfactory arrangements made for payment, the animals will be sold at public auction at the expiration of the period of quarantine to pay the expense of feed and care during that period. Notice of the sale will be published in a newspaper in the county where the quarantine station is located. The sale will be held after the expiration of the quarantine period, at such place as may be designated by the said inspector. From the proceeds of the sale an amount equal to

the charges for feed and care of the animals and the expense of the sale will be covered into the United States Treasury, and the remainder, if any, will be held for the owners. If not called for at the end of 6 months from the date of sale, this remainder also will be deposited in the United States Treasury.

§ 92.13 *Quarantine stations; visiting restricted; sales prohibited.* Visitors shall not be admitted to the quarantine enclosure during any time that animals are in quarantine except that an importer (or his accredited agent or veterinarian) may be admitted to the yards and buildings containing his quarantined animals at such intervals as may be deemed necessary, and under such conditions and restrictions as may be imposed, by the inspector in charge of the quarantine station. On the last day of the quarantine period, owners, officers of registry societies, and others having official business or whose services may be necessary in the removal of the animals may be admitted upon written permission from the said inspector. No exhibition or sale shall be allowed within the quarantine grounds.

§ 92.14 *Milk from quarantined animals.* Milk or cream from animals quarantined under the regulations in this part shall not be used by any persons other than those in charge of such animals, nor be fed to any animals other than those within the same enclosure, without permission of the inspector in charge of the quarantine station and subject to such restrictions as he may consider necessary in each instance. No milk or cream shall be removed from the quarantine premises except in compliance with all State and local regulations.

§ 92.15 *Manure from quarantined animals.* No manure shall be removed from the quarantine premises until the release of the animals producing the same.

§ 92.16 *Appearance of disease among animals in quarantine.* If any contagious disease appears among animals during the quarantine period, special precautions shall be taken to prevent spread of the infection to other animals in the quarantine station or to those outside the grounds. The affected animals shall be slaughtered or otherwise disposed of as the Chief of Bureau may direct, depending upon the nature of the disease.

§ 92.17 *Horses; accompanying forage and equipment.* Horses offered for importation from any part of the world except Canada, Mexico, and countries of Central America and the West Indies shall be accompanied by a certificate of a salaried veterinary officer of the national government of the country of origin showing that the animals described in the certificate have been in the said country during the preceding 60 days, and that as far as it has been possible to ascertain no case of dourine, glanders, surra, or epizootic or ulcerative lymphangitis has occurred in the locality or localities where the horse or horses have been kept during such period. Horses arriving at a port of entry unaccompanied by the aforesaid certificate, if otherwise eligible

for importation, may upon permission first secured from the Chief of Bureau be landed subject to such quarantine and blood tests or other tests as he may direct. Even though accompanied by said certificate they may be so quarantined and tested when deemed necessary by the Chief of Bureau. Upon inspecting horses at the port of entry and before permitting them to land, the inspector may require their disinfection and the disinfection of their accompanying equipment as a precautionary measure against the introduction of foot-and-mouth disease or other disease dangerous to the livestock of the United States. When no disease is discoverable in an importation of horses, the hay, straw, or other foliage accompanying them may remain on board the ship to be returned: *Provided*, That in the case of a vessel carrying cattle, sheep, other ruminants, or swine from the United States on the return voyage, such material shall be stored in the vessel in a place and manner approved by the said inspector and shall not be used in the feeding or bedding of animals exported.

§ 92.18 *Dogs for handling livestock.* Collie, shepherd, and other dogs imported from any part of the world except Canada, Mexico, and countries of Central America and the West Indies, which are to be used in the handling of sheep or other livestock, shall be inspected and quarantined at the port of entry for a sufficient time to determine their freedom from the tapeworm, *Taenia coenurus*. If found to be infested with such tapeworm they shall be properly treated under the supervision of a veterinary inspector until they are free from the infestation.

§ 92.19 *Animals from Canada; declaration of purpose.* For all cattle, sheep, goats, and swine offered for importation from Canada there shall be presented to the collector of customs at the time of entry a statement signed by the owner or importer showing clearly the purpose for which said animals are to be imported.

§ 92.20 *Cattle from Canada—(a) Health certificates.* Cattle offered for importation from Canada shall be accompanied by an official veterinarian's certificate showing that he has inspected the said cattle and found them free from any evidence of communicable disease and that, as far as he has been able to determine, they have not been exposed to any such disease during the preceding 60 days.

(b) *Tuberculin-test certificates.* Cattle from Canada offered for entry for purposes other than slaughter shall be accompanied by a certificate issued or endorsed by a salaried veterinarian of the Canadian Government showing them to have been tuberculin-tested with negative results within the preceding 30 days, except as provided in (1) and (2) following:

(1) Cattle from accredited herds in Canada may be imported if shown by the said certificate to be from such herds and that said herds have been tuberculin-tested within 1 year of the date of im-

portation. The date of such tuberculin test shall be shown on the certificate.

(2) Cattle from herds in accredited areas in Canada may be imported if shown by the said certificate to be from herds in such areas: *Provided*, That if they are from herds—other than strictly range herds—in which one or more reactors to the tuberculin test have been disclosed they shall not be imported until the said herd has reached full accredited status under Canadian regulations.

For cattle—other than strictly range stock—from restricted areas in Canada the accompanying certificate shall show, in addition to the negative tuberculin test within 30 days, that all cattle in the herd or herds from which the animals proceed have been tuberculin-tested with negative results within the previous 12 months.

No cattle—other than strictly range cattle or those from accredited herds—from areas in Canada that are neither restricted nor accredited under Canadian regulations shall be imported unless it is shown on the accompanying certificate that all cattle in the herd or herds from which the animals proceed have been tuberculin tested with negative results within the preceding 30 days.

(c) *Brucellosis-test certificates.* Cattle 6 months old or more offered for importation from Canada—except steers, spayed heifers, and all cattle for immediate slaughter—shall be accompanied by a certificate issued or endorsed by a salaried veterinarian of the Canadian Government showing them to have been tested for brucellosis (Bang's disease) with negative results within 30 days of the date of their exportation. If unaccompanied by such certificate said cattle, upon permission first obtained from the Chief of Bureau, may be quarantined at the port of entry and there subjected to the said test. Any such cattle that fail to pass the said test shall be refused entry and unless returned to the country of origin shall be disposed of as provided by section 8 of the act of August 30, 1890.

(d) *Certificates; information required.* The certificates prescribed in paragraphs (b) and (c) of this section shall give the dates and places of testing, names of the consignor and consignee, and descriptions of the cattle, including breed, ages, markings, and tattoo and eartag numbers.

(e) *United States cattle returning from expositions in Canada.* Cattle from the United States which have been exhibited at the Royal Agricultural Winter Fair at Toronto or other recognized expositions in Canada and have not been in that country more than 30 days may be returned to the United States within 10 days from the close of such fair or exposition without the certificates specified in paragraphs (b) and (c) of this section, if they are accompanied by copies of the tuberculin- and brucellosis-test certificates accepted by the Canadian authorities for their entry into Canada and if it is shown to the satisfaction of the inspector at the United States port of entry that they are the identical cattle covered by the said certificates.

§ 92.21 *Sheep and goats from Canada—(a) For purposes other than slaughter.* Sheep or goats offered for importation from Canada for purposes other than slaughter shall be accompanied by a certificate issued or endorsed by a salaried veterinarian of the Canadian Government showing that they have been inspected on the premises of origin and found free from evidence of communicable disease and that, as far as it has been possible to determine, they have not been exposed to any such disease common to animals of their kind during the preceding 60 days. If unaccompanied by such certificate, the said sheep or goats shall be held in quarantine at the port of entry for not less than 10 days during which they shall be dipped and subjected to such tests or other treatment as may be ordered by the Chief of Bureau.

(b) *For slaughter.* Sheep or goats for slaughter may be imported from Canada without the certificate specified in paragraph (a) of this section but shall be subject to the provisions of §§ 92.8, 92.19, and 92.23.

§ 92.22 *Swine from Canada—(a) For purposes other than slaughter.* Swine offered for importation from Canada for purposes other than slaughter shall be accompanied by a certificate issued or endorsed by a salaried veterinarian of the Canadian Government showing (1) that no hog cholera or swine plague has existed within a radius of 5 miles of the premises on which the swine were kept during the 60 days preceding the date of movement therefrom, or (2) that no hog cholera or swine plague has existed on the premises of origin during such period and that the swine have been immunized against hog cholera by the simultaneous method and thereafter disinfected with a 2-percent solution of an approved cresylic disinfectant. If unaccompanied by such certificate, the swine shall be held in quarantine at the port of entry for not less than 2 weeks.

(b) *For slaughter.* Swine for slaughter may be imported from Canada without certification as prescribed in paragraph (a) of this section but shall be subject to the provisions of §§ 92.8, 92.19, and 92.23.

§ 92.23 *Animals from Canada for slaughter.* Cattle, sheep, goats, and swine imported from Canada for slaughter shall be consigned from the port of entry to some recognized slaughtering center and there slaughtered within 2 weeks from the date of entry, or upon special permission obtained from the Chief of Bureau they may be reconsigned to other points and there slaughtered within the aforesaid period.

§ 92.24 *Horses from Canada.* Horses from Canada shall be inspected as provided in § 92.8 and when so ordered by the Chief of Bureau shall be accompanied by a certificate of a Canadian official veterinarian showing them to have been mallein-tested with negative results, or shall be so tested by a veterinary inspector at the port of entry. Those used in connection with local activities along the border may be submitted without inspection for a temporary period not ex-

ceeding 10 days, and the same provision shall apply to horses returning to the United States after a stay in Canada of not to exceed 10 days.

§ 92.25 In-bond shipments from Canada. Cattle, sheep, and swine from Canada, transported in-bond for export, if accompanied by certificates showing freedom from disease as required by § 92.20 (a), 92.21 (a), or 92.22 (a), respectively, and also horses from Canada transported in-bond for export, may proceed without inspection at the border port of entry, subject to inspection at the United States port of export: *Provided, however,* That such animals shall be inspected at the port of entry or at points en route at which the Bureau has inspectors stationed, if so directed by the Chief of Bureau.

§ 92.26 Animals from Central America and the West Indies: permits required. A permit as provided in § 92.4 shall be secured for the importation of ruminants and swine from countries of Central America into any port of the United States and for the importation of ruminants and swine from countries of the West Indies into the continental United States. The importation of cattle from any area infested with fever ticks, *Boophilus annulatus*, is prohibited.

§ 92.27 Ruminants from Central America and the West Indies. Ruminants offered for importation from countries of Central America and the West Indies shall be accompanied by a certificate of a veterinary officer of the national government of the country of origin showing that they have been in the said country for a period of at least 60 days immediately preceding the date of shipment therefrom, that he has inspected them and found them to be free from evidence of communicable disease, and that as far as he has been able to determine they have not been exposed to any such disease during that period. If no such veterinary officer is available in the country of origin, the animals may be accompanied by an affidavit of the owner or importer stating that they have been in the country from which they were directly shipped to the United States for a period of at least 60 days immediately preceding the date of shipment therefrom and that during such time no communicable disease has existed among them or among animals of their kind with which they have come in contact. Animals for which such affidavit is presented, unless imported for slaughter, shall be quarantined at the port of entry at least 7 days and during that time shall be subjected to such dipping, blood tests, or other tests as may be ordered by the Chief of Bureau to determine their freedom from disease. If imported for slaughter they shall be handled as provided in § 92.23.

§ 92.28 Swine from Central America and the West Indies. Swine offered for importation from countries of Central America and the West Indies shall be accompanied by an affidavit of the owner or importer stating that the said ani-

mals have been in the country from which they were directly shipped to the United States for a period of at least 60 days immediately preceding the date of shipment therefrom and that during such time no contagious disease has existed among them or among animals of their kind with which they have come in contact. Unless imported for slaughter, said swine shall be quarantined at the port of entry for not less than 1 week, and in the absence of said affidavit shall be quarantined for not less than 2 weeks. While under quarantine the said swine, with the exception of wild swine, shall be immunized against hog cholera under the supervision of a veterinary inspector, at the owner's expense, by one of the methods recognized by the Department. Wild swine shall be subjected to such blood tests or other tests as may be ordered by the Chief of Bureau in such instance to determine their freedom from disease. Swine imported for slaughter shall be handled as provided in § 92.23.

§ 92.29 Horses from Central America and the West Indies. When so ordered by the Chief of Bureau, horses from countries of Central America and the West Indies shall be subjected to such quarantine and blood tests or other tests as he may deem necessary to determine their freedom from disease. Any such horses that are found to be infested with fever ticks, *Boophilus annulatus*, shall not be permitted entry until they have been freed therefrom by dipping in a permitted arsenical solution or by other treatment approved by the Chief of Bureau. In lieu of inspection at the port of entry as prescribed in § 92.8, race horses returning from the West Indies may be inspected at such points as the Chief of Bureau may direct.

Done at Washington, D. C., this 26th day of December 1944.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 44-19499; Filed, Dec. 26, 1944;
3:25 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5046]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IMPERIAL CANDY CO.

§ 3.99 (b) Using or selling lottery devices—In merchandising. In connection with the offering for sale, sale, and distribution of peanuts or any other merchandise in commerce, (1) selling, etc., peanuts or any merchandise so packed and assembled that sales of such peanuts or other merchandise to the general public are to be made or may be made by means of a game of chance, gift enterprise, or lottery scheme; (2) supplying, etc., others with punch boards, push or

pull cards, Whirling Derbies, or other lottery devices, either with assortments of peanuts or other merchandise or separately, which said punch boards, push or pull cards, Whirling Derbies, or other lottery devices are to be used or may be used in selling or distributing such peanuts or other merchandise to the public; or (3) selling, etc., any merchandise by means of a game of chance, gift enterprise, or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Imperial Candy Company, Docket 5046, November 29, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of November, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that it waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Imperial Candy Company, a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of peanuts or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Selling or distributing peanuts or any merchandise so packed and assembled that sales of such peanuts or other merchandise to the general public are to be made or may be made by means of a game of chance, gift enterprise, or lottery scheme.

2. Supplying to or placing in the hands of others punch boards, push or pull cards, Whirling Derbies, or other lottery devices, either with assortments of peanuts or other merchandise or separately, which said punch boards, push or pull cards, Whirling Derbies, or other lottery devices are to be used or may be used in selling or distributing such peanuts or other merchandise to the public.

3. Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-19573; Filed, Dec. 27, 1944;
11:25 a. m.]

TITLE 26—INTERNAL REVENUE
Chapter I—Bureau of Internal Revenue

Subchapter A—Income Tax

[T. D. 5424]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

CHINA TRADE ACT CORPORATIONS; DISTRIBUTION OF SPECIAL DIVIDENDS

Section 19.262-3 of Regulations 103 (26 CFR, 1940 Supp., Part 19), and § 29.262-3 of Regulations 111 (26 CFR, Cum. Supp., Part 29), are each amended by striking out the first sentence of the third paragraph of each such section and inserting in lieu thereof the following:

The term "special dividend" means the amount which, during the year ending on the date fixed by law for the filing of the corporation's return, is distributed as a dividend to or for the benefit of such persons as on the last day of the taxable year were resident in China, the United States, or possessions of the United States, or were individual citizens of the United States or China, and owned shares of stock of the corporation. The time fixed by law for filing the return includes the period of any extension of time granted under rules and regulations prescribed by the Commissioner with the approval of the Secretary.

(Secs. 62, 262, and 3805, I. R. C. (53 Stat. 32, 866, 56 Stat. 961; 26 U.S.C., and Sup., 62, 262, 3805))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: December 26, 1944.

JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 44-19575; Filed, Dec. 27, 1944;
11:34 a. m.]

Subchapter D—Employment Taxes

[Regulations 116]

PART 405—COLLECTION OF INCOME TAX AT SOURCE ON OR AFTER JANUARY 1, 1945

Correction

In the tables under Subpart C (Determination of Tax) of Federal Register Document 44-18822, appearing at page 14573 of the issue for Thursday, December 14, 1944, the following corrections should be made:

In the table for biweekly payroll period opposite the \$118—\$120 wage group, the figure for 3 withholding exemptions should be "12.50".

In the semimonthly payroll period table, the figure for 2 withholding exemptions opposite the \$74—\$76 wage group should be "6.60"; the figure for 1 withholding exemption opposite the \$88—\$90 wage group should be "13.60", and opposite the \$100—\$102 wage group the figure for 4 withholding exemptions should be

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"3.60". At the end of this table the line of text opposite "\$500 and over" should read "22.5 percent of the excess over \$500 plus".

In the daily or miscellaneous payroll period table the figure for 10 or more withholding exemptions for the "\$30.00 and over" wage group should be "3.60".

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 272]

PART 811—BLANKET LICENSE "BLT"

GENERAL PROVISIONS; MISCELLANEOUS COMMODITIES

Paragraph (f) of § 811.2 *General provisions* is hereby amended by adding to the commodities listed therein the following commodities,

<i>Commodity</i>	<i>Schedule B No.</i>
Tools: metal-cutting: 1	
Bits: cemented carbide: 6167.98, hard alloy. 7443.82	
Bits: router, tool, metal- 6167.98, cutting. 7443.82	
Blades: hand saw: metal- 6154.43 cutting.	
Blades, cutoff, finning, 7443.98 gear generator, saw (ex- cept diamond) metal- cutting.	
Blades: hand and power 6154.43, hacksaw: metal-cutting. 6154.98	
Broaches: machine, flat 7443.15 spline	
Burrs: rotary: metal-cut- 7443.19 ting.	
Chasers: threading. 7443.82	
Counterbores: metal-cut- 6167.43, ting. 6167.98	
Countersinks, ship plate, 6167.43, metal-cutting. 6167.98	
Cutters: cemented car- 6167.43, bide (hard alloy tipped) 7411.00, form relieved, gear 7443.19 shaper (spur, helical, herringbone) inserted blade, milling rack (gear cutting) metal-cutting.	
Dies: button, cemented 6169.43, carbide drawing, thread- 7443.82 ing (metal-cutting) wire drawing cemented car- bide.	
Drills: carbon steel: bit 6167.98, 6167.43 stock, blacksmith, straight shank.	
Drills: counter e r - 6167.43, 6167.98 sinks, twist: metal-cut- ting.	
Files: b u r r s : rotary, 7443.82 metal-cutting.	
Heads, die: threading: 6169.43, 7443.82 metal-cutting.	
Hobs: gear, metal-cut- 7443.82 ting.	
Hobs: threading. 7443.82	
Knives: metal cutting: 6118.05, 6118.09 machine, shear.	
Laps: gear finishing. 7443.17	
Mills: end, metal-cutting. 7443.82	
Plates: screw. 6168.43, 7443.82	
Reamers: align, bearing 6167.43, 6167.98, (main) bushing (plis- ton pin) connecting rod, conduit, metal working (hand, machine) piston pin, pipe, valve guide.	

See footnote at end of table.

<i>Commodity</i>	<i>Schedule B No.</i>
Tools: metal-cutting—Con.	
Saws: solid circular, slit- 6165.18 ting, metal-cutting.	
Taps: collapsible, metal 6168.43, 7443.82 threading.	
Tips: carbide, hard alloy. 7443.82	
Tips: cemented carbide: 7443.82 hard alloy.	
Tools: boring, metal-cut- 7403.09, 7404.09, ting. 7443.82, 7455.98	
Tools: cutting: carbide 6167.43, 7411.00, tipped, tungsten carbide 7443.19 tipped.	
Tools: gear finishing. 7443.17	
Gauges and machinists pre- cision measuring tools: 1	
Analyzers: surface. 6178.90, 7038.98	
Balancing machines: ma- 6197.00, chinists: machine tools, 7455.01 metalworking.	
Bars: sine: machinists. 6178.98	
Bevels: machinists. 6178.95	
Blocks and rolls: angle. 6178.98	
Blocks: bench, gauge, sine: 6178.90 machinists.	
Bullet machines: inspect- 7099.93 ing.	
Buttons: die, tool makers. 6169.98, 6169.43	
Calipers: gear tooth, pock- 6178.95 et slide, vernier, not dial equipped.	
Centers: bench: machin- 6178.90, ists. 7443.98	
Clamps: key seat, parallel, 6178.98 rule, tool makers: hand tools.	
Comparators: metalwork- 7099.93, ing. 7099.98, 7750.07, 9190.01	
Demagnetizers. 7099.98	
Detectors: leak, seam test- 9190.98 ers.	
Discs: setting: master, ma- 6178.98 chinists.	
Dividers: machinists. 6178.95	
Edges: straight: machin- 6178.95 ists.	
Electrical and mechanical 7038.05, testing equipment: 7038.98, Metallurgical. 9190.03, 9190.98	
Extensometers. 7038.98, 9190.01, 9190.03, 9190.98	
Fixtures: gauging: align- 6178.90, 7750.07 ment, built up, simple: Machinists	
Fixtures, sine. 6178.90, 7750.07	
Flats: toolmakers. 6178.95	
Gauge block sets and ac- 6178.90, 6178.98 cessories.	
Gauges: air (precision), 7038.98 electric: metalworking.	
Gauges: angle, ball, but- 6178.90, 7036.05, ton, center, circumfer- ence, cutter clearance, cylinder, depth, dial in- dicating (linear meas- urement), drill, drill point, fillet, height, hole, planer, radius, screw pitch, screw and wire, surface taper, tele- scope, thickness, thread, wire or rolling mill; machinists.	
Gauges: camber (not au- 6178.90, 9190.01 tomotive), ch a m b e r , concentricity, flush pin, inspection, length, pin, plug, production, pro- file, ring, snap, tern- plate: Machinists.	

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Commodity	Schedule B No.	Commodity	Schedule B No.	Commodity	Schedule B No.
Gauges and machinists precision measuring tools—Continued.		Gauges and machinists precision measuring tools—Continued.		Abrasive products: made from manufactured or natural abrasives—Con.	
Gauges: electric: metal- working.	7036.05, 7036.98, 7036.05, 7038.98, 7099.93.	Tools: precision measur- ing including hand.	6178.90, 6178.95, 6178.98, 7036.05, 7036.98, 7037.00, 7038.05, 7038.98, 7099.93, 9190.01, 9190.03	Wheels: abrasive: arbor 5405.00, center mounted (vitrified, silicate: high speed) bonded (resinoid, rubber, shellac), center- less control, coping, cylinder, metal bonded (diamond) mounted (dental industrial), resinoid cut off, resinoid (diamond: metal center) resinoid (high speed), steel center, superfinishing, valve seat (not automotive, vitrified).	5405.00, 5406.00, 5409.05, 5412.00, 6178.91
Gauges: flush	6178.90			Wheels: buffing, polishing: 5405.00, metalworking.	5412.00
Gauging machines: pre- cision.	7036.05, 7036.98, 7038.05, 7038.98, 7099.93, 9190.01, 9190.03	Tools: vernier	6178.95, 6178.98	Whetstones	5409.98, 5419.00
Hold downs: tool makers.	6178.98	Trammels: machinists	6178.98		
Indicators: alignment	6178.90, 7038.98, 9190.01	Wigglers: machinists	6178.98		
Indicators: dial: linear measurement.	6178.90, 7038.98, 9190.01	Wires: thread measuring	6178.90		
Indicators: dial test: pre- cision.	6178.90, 7038.05, 7038.98, 9190.01, 9190.03, 9190.98	Abrasive products: made from manufactured or natural abrasives:			
Inspection equipment: magnetic.	6178.90, 7099.93, 9190.01	Abrasives: aluminum oxide: crude: regular, special, white.	5411.98		
Inspection machines: pre- cision: metalworking.	7099.93, 9190.01	Abrasives: coated, com- pound finishing, re- claimed.	5418.00, 5419.00		
Irons, angle: magnetic, plain.	6178.90, 7099.98	Abrasives: silicon carbide.	5411.98		
Knees: tool makers	6178.98	Aluminum oxide: fused.	5411.98		
Levels: machinists	6178.98	Belts: abrasive	5419.00		
Magnetizers	7099.98	Blades: diamond: abra- sive.	6155.15, 6156.05, 6178.91, 7485.12		
Measuring instruments: light wave machinists precision, surface.	7099.93, 9190.01	Brick: abrasive	5419.00		
Measuring machines: gear, metalworking.	7099.93, 9190.01	Case: polishing: emery	5419.00		
Micrometers: internal, ex- ternal, super.	6178.95, 9190.01	Carborundum	5411.98		
Microscopes: Brinell, tool makers.	9149.50	Carriers: aluminum oxide: catalytic: abrasive grain.	5411.98		
Parallels: box, ground, precision, machinists.	6178.98	Chucks: segmental: abra- sive.	7443.71		
Points: penetrator: hard- ness testing.	7036.05, 7038.05, 9190.03	Cloth: abrasive	5418.00		
Profilometers: surface measuring.	7099.93, 9190.01	Discs: abrasive: cloth, nut inserted, paper, sanding, steel backed mounted (vitrified, resinoid).	5418.00		
Projectors: contour meas- uring.	7099.93, 9190.01	Discs, points: dental: dia- mond.	5409.05, 9150.00		
Protractors: aircraft pro- peller.	6178.95, 9190.98	Dressers: emery wheel, grinding wheel: abra- sive.	5405.00		
Protractors, machinists	6178.95, 9190.98	Finishing compound: 5419.00 abrasive.			
Recorders: stress, strain..	7037.00, 9190.98	Fire sand	5411.98		
Rods: end measuring; ma- chinists.	6178.98, 9190.98	Flours: abrasive	5411.98		
Rules: steel; machinists	6178.98	Grinders: knife	5406.00, 5412.00		
Scales: steel; machinists	6178.98	Grinding compounds: 5419.00 valves.			
Scleroscopes	9190.03	Grindstones	5406.00, 5412.00		
Sets: square; combination, machinists.	6178.95	Hones: not automotive cylinder, piston pin.	5409.98, 5419.00		
Stands: aircraft propeller balancing.	7038.98	Hones: diamond	6178.91		
Testers: center; hardness; seam; leak detectors; tensile; impact, physical, small (for welding).	7038.05, 7038.98, 9190.03, 9190.98	Lapping compounds: fin- ishing include diamond.	5419.00		
Testing equipment: air- craft propeller governor.	7038.98, 9190.98	Millstones, manufactured	5412.00		
Testing equipment: photo- electric: aircraft crank- shaft strain.	7038.98, 9190.98	Pads: abrasive: sander	5418.00		
Testing machines: gear, gear checking, physical property, metal fatigue, torsion, metalworking.	7038.05, 7038.98, 9190.03, 9190.98	Paper: abrasive sand	5418.00		
Testing units: aircraft propeller slip ring mounting.	7038.98, 9190.98	Points: abrasive: dental including diamond.	9150.00		
		Porous media: abrasive	5409.98, 5411.98		
		Powders: abrasive optical	5411.98		
		Saws: diamond	6155.15, 6156.05		
		Segments: abrasive	5409.98, 5419.00		
		Sharpeners: knife: abra- sive.	5409.98, 5419.00		
		Sticks: abrasive, dressing honing, lapping.	5409.98, 5419.00		
		Stones: jointer, manufac- tured mill, oil, pulp, reamer scythe, sharpening superfinishing.	5419.00		
		Tools: diamond: boring	6178.91		

* In determining whether commodities under this heading may be exported under the "BLT" (Blanket) export license procedure the description of the commodity and not the Schedule B numbers shall govern.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: December 19, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-19565; Filed, Dec. 27, 1944;
11:00 a. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 903—DELEGATIONS OF AUTHORITY

[Directive 16, as Amended Dec. 26, 1944]

Section 903.128 Directive 16 is amended to read as follows:

§ 903.128 Directive 16—(a) Transfers between Schedule A contractors. Persons listed on Schedule A of Directive 16 may sell or transfer any idle aircraft material to other persons listed on Schedule A, for the purpose of fulfilling a contract for the Air Program, without requiring the use of allotments or ratings, and such a buyer need not charge his allotment account. For the purposes of this directive, "idle aircraft material" means any material listed on Schedule B purchased for an air program contract, which is not required to meet scheduled deliveries or contract commitments on

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existing air program orders or letters of intent.

(b) *Applicability of WPB orders and regulations.* This directive makes paragraph (c) (3) of Priorities Regulation No. 13 applicable to such special sales and transfers. However, the restrictions on sale, transfer, receipt or use of materials imposed by any other order or regulation of the War Production Board remain in effect.

Issued this 26th day of December 1944.

J. A. KRUG, Chairman,
War Production Board
and Aircraft Production Board.

SCHEDULE A

Schedule A to this directive is not affected by this amendment. All persons affected by this directive have been mailed complete copies of this directive, including Schedule A.

SCHEDULE B

A. *Metals:* Controlled materials in the forms and shapes described in Schedule I of CMP Regulation No. 1.

B. *Aircraft hardware:* (Standard items of aircraft hardware as listed below):

Item and base number: AN dash number

1. Bolts:	
a. Clevis:	
AN21 thru AN25	All.
AN26 thru AN28	All.
AN29 thru AN36	All.
b. Close Tolerance:	
NAS53 thru NAS60	
NAS62, NAS64	
NAS66	All.
c. Drilled Hex Head:	
AN73, AN74, AN75	Up thru 20. 21 thru 40. 41 thru 60.
AN76, AN77, AN78	Up thru 30. 31 thru 60.
AN79, AN80, AN81	Up thru 30. 31 thru 60.
d. Eye:	
AN42 thru AN49	All.
e. Hex Head Bolts:	
AN3, AN4, AN5	Up thru 20. 21 thru 40. 41 thru 80.
AN6, AN7, AN8	Up thru 30. 31 thru 60. 61 thru 80.
AN9, AN10, AN12, AN14, AN16, AN18	
AN20	Up thru 30. 31 thru 60. 61 thru 80.
2. Bucklers:	
AN233	All.
3. Bushings, Cable:	
AN110, AN111	All.
4. Clamps and Clips:	
AC735 thru AC755, and Manufacturers' standard part num- bers	All.
5. Clevis, Rod End:	
AN481, AN486, AN490	All.
6. Cups, Grease and Oil:	
AN290, AN295	All.
7. Eyelets and Lacing	
Hooks:	
AN240, AN235	All.
8. Fasteners: (All manu- facturers—e. g. Dzus, United Carr, Cam- loc, etc.)	
AN224, AN225, AN226, AN227, AN229, and m a n u f a c t u r e r s' standard part num- bers	All.

Item and base number: AN dash number

9. Grommets:	
AN230, AN231, AN931	All.
10. Hinges:	
AN250	All.
AN251	All.
11. Keys, Woodruff:	
AN280	All.
12. Nails:	
AC300 thru AC303	All Sizes.
13. Nuts:	
a. Standard Nuts:	
AN310 thru AN360	3 and 4, 5, 6, and 7, 8, 9, and 10, 12, 14, and 16.
b. Stop Nuts:	
AN365 only	All.
All other AN Numbers	All.
14. Pins:	
a. Clevis:	
AN392 thru AN400	All.
AN402, AN404, AN406	All.
b. Cotter:	
AN380	All.
c. Lock	
d. Taper:	
AN385, AN386	1 thru 6. 7 thru 11.
15. Rivets:	
a. Aluminum: (Except Cherry & Explode- sive.)	
AN Numbers	All.
b. Cherry and Explode- sive:	
Manufacturers' Stand- ard part numbers	All.
c. All others:	
AN Numbers	All.
16. Rivnuts:	
17. Screws:	
a. Standard Screws:	
AN500, AN501, AN502, AN503, AN505, AN507, AN510, AN515, AN520, AC525, AN526, AN530, AN531, AN535, AN545, AN550, AC560, AC565, AC566, and AC570, NAF1164, NAF1175, NAF1176, NAF1177, NAF1178, NAF1193.	All.
b. Frearson Head:	
42A5700, 42A5701, 42B5702 thru 42B5711	All.
c. Phillips Heads:	
42B4937 thru 42B4945, 42A4946, 42A4947, 42B5184, NAS200, NAS202	All.
18. Shackles, Cable:	
AN115, AN116	All.
19. Tags, Identification:	
AC650	All.
20. Terminals:	
Threaded clevis type tie rod and swaged cable:	
AN665 thru AN669	All.
21. Thimbles, Wire Cable:	
AN100	All.
22. Tie Rods:	
AN671 thru AN708	All.
23. Turnbuckles, Assem- blies and Parts:	
AN130 thru AN170	All.
NAF1084	All.
24. Washers:	
AN935 thru AN975	All.

C. *Components:* (Standard items of components as listed below.)

Item and base number:

1. Bearings:	
AN numbers for manufacturer's stand- ard part numbers.	
Guide rollers.	
Needle rollers.	

Item and base number:

1. Bearings—Continued.	
Fair-leads.	
Bell cranks.	
Rod ends.	
A-500.	
Metric metal shielded.	
Metric felt shielded.	
Metric series.	
Miscellaneous.	
S-K.	
S-D.	
S-DD.	
200S.	
Chrysler Oelite.	
2. Booster Coils: Manufacturers' standard part numbers.	
3. Braid: Tinned Copper (AN, AC, or manufacturer's part number).	
4. Cable, Insulated Copper: Aircraft AN, AC or manufacturer's part number.	
5. Cable, Steel, Preformed Flexible: AN parts numbers.	
6. Capacitors: Manufacturers' standard part numbers.	
7. Conduit Fittings: AN, AC, NAF or manufacturers' standard part numbers.	
8. Engine Starters: Manufacturers' standard part numbers.	
9. Fittings: "Parker" and "Weatherhead" Type AN, AC, NAF numbers. Nuts, Sleeves and Lock Nuts. All other fittings.	
10. Flexible Conduit: AN, AC, NAF, or manufacturer's part number.	
11. Flexible Conduit Assemblies: AN, AC, or manufacturers' part numbers.	
12. Fuses: AN, AC, NAF or manufacturers' standard part numbers.	
13. Hose and Hose Assemblies: AN358 thru AN892 or equivalent AC, NAF or manufacturers' standard part numbers.	
14. Ignition Switches: Manufacturers' standard part numbers.	
15. Insulators: Manufacturers' standard part numbers.	
16. Lamp Assemblies: AN, AC or manufacturers' standard part numbers.	
17. Lamps: AN, AC or manufacturers' standard part numbers.	
18. Lord Mounts: AN, AC or manufacturers' standard part numbers.	
19. Micro Switches: Manufacturers' standard catalog number, including special drawing part numbers.	
20. Motors: Electric Fractional Type, Up to and including 1 1/4 horsepower. (Airborne only). Manufacturers' standard catalog numbers.	
21. Packing Rings: AN type only.	
22. Plugs and Connectors: Cannon, Breeze, Amphenol, etc. AN, AC, NAF or equivalent manufacturers' part numbers.	
23. Potentiometers: Manufacturers' standard part numbers only.	
24. Pulleys: AN type only.	
25. Pumps: Fuel and Oil type only. AN or manufacturers' standard catalog numbers.	
26. Receptacles: Cannon, Breeze, Amphenol, etc., AN, AC, NAF or manufacturers' standard part numbers.	
27. Relay and Relay Solenoids: AN, AC or standard manufacturers' catalog numbers.	
28. Resistors: AN, AC, NAF or manufacturers' standard part numbers.	
29. Rheostats: AN, AC, NAF or manufacturers' standard part numbers.	
30. Spark Plugs, Manufacturers' standard part numbers.	
31. Switches and circuit Breakers: AN, NAF or equivalent manufacturers' standard part numbers.	
32. Terminals, Solderless: AN or manufacturers' standard part numbers.	
33. Thermostats: Spencer type only. NAF or manufacturers' standard part numbers.	

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Item and base number:

34. Valves: Aircraft, "Parker" and "Weatherhead" type. AN, AC, NAF and manufacturers' standard part numbers, but not including oxygen valves or high pressure valves.
 35. Wire: Insulated Copper, Magnet and Mare electric.

[F. R. Doc. 44-19502; Filed, Dec. 26, 1944; 4:48 p. m.]

PART 1010—SUSPENSION ORDERS
 [Suspension Order S-673]

P & B ELECTRIC CO.

Max Peltz, doing business as P & B Electric Company, 1130-14th Street, N.W., Washington, D. C., is engaged in the electrical repair business and the selling of electrical fixtures, including fluorescent light fixtures and parts. On or about May 15, 1944, he applied a preference rating of AA-2 MRO and certified that he was entitled to use this rating in purchasing \$2,645.75 worth of fluorescent lighting fixtures and parts from the Globelite Company of New York City and for an unspecified quantity of light fixtures and parts from the Pioneer Fluorescent Light Company, also of New York City. This material was not for his own maintenance, repair and operating supplies, and his action was in violation of Priorities Regulation No. 3. Between June 1, 1944 and October 15, 1944, he sold and delivered fluorescent light fixtures to more than five persons in and about Washington, D. C., on orders not bearing a preference rating, in violation of General Limitation Order L-78. During the period from May 15, 1944 to October 30, 1944, he failed to maintain adequate records covering the operation of his business, in that the records were incomplete, inaccurate, and on improper forms in violation of Priorities Regulation No. 1, § 944.15.

Max Peltz should have been familiar with the aforementioned orders, and his violations must be considered wilful. These violations have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.673 Suspension Order No. S-673. (a) Max Peltz, doing business as P & B Electric Company, or under any other name, his or its assigns or successors, shall not for a period of two months from the effective date of this order apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such rating may be applied or extended, or on which CMP allotment symbols are used.

(b) Nothing contained in this order shall be deemed to relieve Max Peltz, doing business as P & B Electric Company, his and its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on December 26, 1944.

Issued this 18th day of December 1944.

WAR PRODUCTION BOARD,
 By J. JOSEPH WHELAN,
 Recording Secretary.

[F. R. Doc. 44-19507; Filed, Dec. 26, 1944; 4:49 p. m.]

for special directions, lead will be delivered in accordance with Priorities Regulation No. 1, giving preference to rated orders in their proper sequence.

(d) *Lead from Metals Reserve Company.* After February 1, 1945, any person unable to obtain lead from the regular sources of supply and wishing to procure lead from the Metals Reserve Company must make application in writing to the War Production Board on Form WPB-95.

(e) *Inventory restrictions.* No person shall knowingly deliver to any person and no person shall accept delivery of any quantity of lead after January 1, 1945 if the total inventory in the hands of the person accepting delivery is, or by virtue of acceptance will become, in excess of his reasonably anticipated requirements for permissible uses in the next 45 days. No person shall order any quantity of lead for delivery to him or for his account on any future date if receipt thereof on that date would increase his inventory of lead to more than the amount permitted in the first sentence of this paragraph. This restriction does not apply to a refiner, dealer, or scrap dealer.

(f) *Prohibited uses. List A.* The use by any person of lead in the manufacture of articles on List A of this order, or parts for those articles, or for any purpose specified on List A is prohibited.

(g) *Unrestricted articles and uses. List B.* There are set forth in List B of this order certain articles and uses for which lead may be used with no restriction insofar as this order is concerned. This order does not limit the use of lead to produce items on List B provided other orders of the War Production Board are not violated.

(h) *Restricted uses. List C.* For articles and uses not on either List A or List B, the use of lead is permitted, but with the limitation on the amounts which may be used as set forth in List C of this order; namely, that in any calendar quarter no person shall use more lead than the percentage indicated in List C of the amount of lead used by him for the same product during the first six months of 1944. However, as indicated in List C, the percentage permitted to be used may be exceeded if it is less than the specific small amounts set forth. For example, a person using lead for the production of sheet lead may use in the first quarter of 1945 not more than 30% of the amount used by him for this purpose in the first six months of 1944. However, he may exceed his allowable quota for this purpose if he uses less than 15 tons of lead during the quarter. Persons using lead for more than one of the classes of uses in List C may not transfer unused quotas for one class of use to another class of use.

(i) *Restrictions on sales and deliveries of lead.* No person shall sell or deliver any lead to any person if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(j) *Appeals.* Any appeal from the restrictions of paragraph (e), (f) or (h) of this order must be filed by letter in duplicate addressed to the War Produc-

PART 984—LEAD

[General Preference Order M-38, as Amended Dec. 28, 1944]

Section 984.1 *General Preference Order M-38* is hereby amended as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of lead for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 984.1 *General Preference Order M-38—(a) Scope of the order.* This order controls generally the use of lead. Under the order some uses are entirely prohibited, other uses are permitted free of any restriction, and still other uses are permitted but with a limitation on the amount of lead which may be used. Special restrictions may also be found in other orders of the War Production Board relating to particular articles or parts. In such case the more restrictive provision governs. In no case shall any person use, or purchase, or accept delivery of any lead in violation of this order.

(b) *Definitions.* For the purpose of this order:

(1) "Lead" means lead metal (including antimonial lead) in refinery shapes, whether produced from foreign or domestic ores, from scrap or drosses, or from any other lead-bearing material. It includes scrap lead and any alloy of lead in which the per cent of lead metal by weight is more than 50%.

(2) "Refiner" means any person who produces lead in refinery shapes, and includes any person who has such lead produced for him under toll agreement.

(3) "Dealer" means any person who procures lead either by importing or from domestic sources for sale or resale without change in form, whether or not such person receives title to or physical delivery of the material, and includes selling agents, warehousemen, and brokers.

(4) "Military order" means any purchase order or intra-company delivery order for lead which is to be delivered or used on or incorporated in material or equipment to be delivered to the U. S. Army, Navy, Marine Corps, Coast Guard, Veterans Administration, Maritime Commission, War Shipping Administration or Office of Scientific Research and Development.

(c) *Special directions.* The War Production Board may at any time issue special directions to any person respecting the production, distribution, delivery or acceptance of delivery of lead. Except

tion Board, Tin, Lead & Zinc Division, Washington 25, D. C., Ref. M-38, giving justification for the appeal with necessary supporting data. Such data should include:

1. Product in which the lead will be used.
2. Period of time, not exceeding one calendar quarter, for which relief is requested.

3. Monthly schedule of amount of lead to be used, and the portion of this which is in excess of the quota permitted by the order.

4. If the appeal covers uses for military orders, the procuring agency, end-use description, prime contract numbers and dates when the orders were received.

5. If the appeal is filed because the restrictions on use of lead will prevent the filling of non-military orders of extreme urgency, give exact information as to the use of the product in which the lead is used, the names of the customers, and preference ratings covering the orders.

6. In every case state the end-use and preference rating pattern covering the orders you have filled and expect to fill with the quota of lead you are permitted to use under this order.

7. Any other information pertinent to the appeal.

Ordinarily consideration will be given only to those appeals showing that the quota limits on consumption of lead will prevent the filling of "military orders" or orders of similar extreme urgency. Appeals to be filed from paragraphs (f) and (h) under such conditions must be received by the last day of the first month of the quarter for which a higher quota of lead consumption is required. (January 31, 1945 for first quarter 1945 appeals). Appeals on the grounds of undue hardship will not generally be considered favorably if they are based on the fact that the person affected will be unable to fill other than "military orders" in amounts as large as he had previously delivered, or that he will be unable to fill other than "military orders" to the same extent as other persons.

Attention is called to the requirement of Priorities Regulation No. 16 with respect to the statement of manpower requirements which must be submitted with the appeal.

(k) *Priorities Regulation No. 25.* Requests for exceptions from the restrictions of this order may not be made under the provisions of Priorities Regulation No. 25 after January 1, 1945. The use of lead for production previously authorized under Priorities Regulation No. 25 will be subject to the restrictions of this order after January 1, 1945.

(l) *Records.* All persons affected by this order must maintain accurate and complete records of all transactions as required by Priorities Regulation No. 1, Section 944.15. Such records must include complete statements of the amounts of lead consumed for each of the classes of use specified in List B and C of this order, and the amount of inventory on hand.

(m) *Required reports.* (1) After January 1, 1945, a report shall be filed on the 20th of each month on Form WPB-95 by any person who purchases or consumes ten tons or more of lead during the preceding calendar month, or had in his possession or under his control 20 tons

or more of lead on the last day of the preceding month.

(2) The War Production Board may from time to time issue special directions requiring any refiner or dealer to file a report showing a schedule of his proposed deliveries of lead.

(3) All persons affected by this order shall execute and file with the War Production Board such other reports as may be required subject to the approval of the Bureau of the Budget.

(4) The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(n) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(o) *Communications to the War Production Board.* Except for appeals filed under paragraph (j), all communications and reports dealing with this order shall be addressed to: War Production Board, Tin, Lead and Zinc Division, Washington 25, D. C., Ref: M-38.

Issued this 26th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

- (1) Motor Vehicle body solder (except for repair purposes).
- (2) Ballast or keels for pleasure boats.
- (3) Building supplies as follows (except as a coating material):
 - (a) Gutters and leaders for residential buildings under three stories in height.
 - (b) Ornamental work.
 - (c) Puttyless frames.
 - (d) Sash weights.
 - (e) Spandrels.
- (4) Buttons, badges, emblems and regalia (except for sale to the Army or Navy of the United States, the War Shipping Administration, the United States Maritime Commission or the Veterans Administration).
- (5) Costume jewelry, novelties and trophies.
- (6) Caskets, except: Solder for soldering purposes (containing not more than 30% tin).
- (7) Casket hardware.
- (8) Glass for ornamental purposes.
- (9) Tennis court markers.
- (10) Games or toys.
- (11) Foil for the following purposes:
 - (a) Packaging cigarettes, tobacco, cigars, candy, gum, beverages or fluids (except cap inserts for medicinals).
 - (b) Permanent wave hair pads.
 - (c) Tinsel.
 - (d) Seals and labels.
- (12) Statuary and art goods (except church goods).
- (13) Weights for bats, decoys, dresses, golf clubs, saddles, darts and arrows.
- (14) Any decorative purposes.

LIST B—UNRESTRICTED ARTICLES AND USES

Storage batteries	Military orders only.
Lead oxides for storage batteries	Do.
Cable covering	Do.
Ammunition	Do.
Tetra ethyl	Do.
Solder	All orders (see list A for restrictions on uses).
Bearing metal	All Orders.
Brass and bronze	Do.

LIST C—RESTRICTED ARTICLES AND USES

Article or use	Percent	Percentage of the weight of lead used for the same purpose during the first 6 months of 1944 allowed for use in any calendar quarter	Minimum use restriction (see par. b)
Uses for other than military orders:			
Storage batteries (including lead content of oxide).	30	30 tons per quarter.	
Cable covering	30	None.	
Ammunition	30	None.	
Tetra-ethyl	30	None.	
Uses for all orders including military orders but excluding uses forbidden in list A:			
Lead for chemicals (including white lead, litharge or other than storage batteries, red lead, other pigments or driers, insecticides, etc.).	30	None.	
Sheet lead	30	15 tons per quarter.	
Lead pipe and fittings	30	15 tons per quarter.	
Foil	30	None.	
Collapsible tubes	30	None.	
Type metal (only as to lead to be added to old type).	30	1 ton per quarter.	
Terne metal			None.
Weights	30	1 ton per quarter.	
Baillast	30	1 ton per quarter.	
Heat treating or annealing	30	None.	
Seals	30	None.	
Nails	30	None.	
Washers	30	None.	
Castings and die castings	30	None.	
Lead wool	30	None.	
Wire coating	30	None.	
Cases	30	None.	
Lead powder	30	None.	
Plating	30	None.	
Lead lined pipe	30	None.	
Caulking	30	1 ton per quarter.	
Alloys (not included on list A or B).	30	None.	
All other items or uses not in list A or B.	30	None.	

[F. R. Doc. 44-19501; Filed, Dec. 26, 1944; 4:48 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-616, Modification]

DORIS LACHMAN JOSPEY

Doris Lachman Jospey of 5636 Michigan Avenue, Detroit, Michigan, appealed from the provisions of Suspension Order No. S-616 and the appeal was denied on the merits by the Deputy Chief Compliance Commissioner. She has now appealed under Conservation Order L-41 for permission to use the minimum amount of work and material necessary to repair certain fire damage and place

her building in a condition fit for temporary occupancy. It has been determined by the War Production Board that it is in the interest of the war effort that the employment of sufficient materials and facilities be permitted to render the building usable.

Wherefore the Deputy Chief Compliance Commissioner has directed that paragraph (a) of Suspension Order No. S-616 issued September 8, 1944, be amended.

In view of the foregoing: *It is hereby ordered, That: § 1010.616, Suspension Order No. S-616 be and hereby is modified by amending paragraph (a) to read as follows:*

(a) Neither Doris Lachman Jospey, her successors or assigns, nor any other person, shall do any construction on the premises at 5636 Michigan Avenue, Detroit, Michigan, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board. The provisions of this paragraph shall not apply to such minimum amount of work and material necessary to repair fire damage and place the building in a condition fit for temporary occupancy as may hereafter be specifically authorized in writing by the War Production Board pursuant to the provisions of Conservation Order L-41, nor to maintenance and repairs as defined in or governed by Conservation Order L-41.

Issued this 27th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-19566; Filed, Dec. 27, 1944;
11:18 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 58]

NOTICE BY BRASS MILLS REGARDING SCHEDULING OF "Z-1" ORDERS

The following direction is issued pursuant to CMP Regulation 1:

(a) The purpose of this direction is to require notice to be given to the War Production Board of intent to schedule "Z-1" orders in brass mills, so that this capacity can be used, if possible, for additional production of brass mill products for the small arms ammunition and artillery programs of the armed services.

(b) At least five days before scheduling for production any order identified by the symbol "Z-1", a brass mill must give notice to the War Production Board of its intent to schedule such an order; and no brass mill shall schedule a "Z-1" order unless it has so notified the War Production Board. Also, notice must be given to the War Production Board as soon as possible of any "Z-1" orders which have been scheduled before December 26, 1944, but which have not yet been put into production. The notice should identify and state the amount of brass mill products involved, and should be given by telegraph to the Copper Division, War Production Board, Washington 25, D. C.

Issued this 26th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-19503; Filed, Dec. 26, 1944;
4:48 p. m.]

PART 3275—STABILIZED ROSIN
[General Preference Order M-335,
Revocation]

Section 3275.1 *General Preference Order M-335*, and all authorizations and directions issued under this section, are hereby revoked. This revocation does not affect any liabilities incurred thereunder.

Stabilized rosin is added to List 1 (item 7) of General Preference Order M-340, as amended simultaneously with this revocation.

Issued this 27th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-19571; Filed, Dec. 27, 1944;
11:19 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Revocation
of Schedule 13]

DIPENTENE

Section 3293.1013 *Schedule 13 to General Allocation Order M-300*, and all authorizations and directions issued under this section, are hereby revoked. This revocation does not affect any liabilities incurred thereunder.

Dipentene is added to List 1 (item 5) of General Preference Order M-340, as amended simultaneously with this revocation.

Issued this 27th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-19569; Filed, Dec. 27, 1944;
11:19 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300,
Schedule 81]

BY-PRODUCT PHOSPHORIC ACID

§ 3293.1081 *Schedule 81 to General Allocation Order M-300*—(a) *Definition*. "By-product phosphoric acid" means phosphoric acid obtained as a by-product in the manufacture of methyl methacrylate.

(b) *General provisions*. By-product phosphoric acid is subject to the provisions of General Allocation Order M-300 as an Appendix B material. The initial allocation date is September 1, 1943, when by-product phosphoric acid first became subject to allocation under Order M-340. The allocation period is the calendar month. The small order exemption without use certificate is five tons per person per month.

(c) *Transition from M-340*. Regular and interim allocations of phosphoric acid issued under Order M-340 are effective under this schedule, but authorizations to deliver are limited in duration as if originally issued under this schedule. Pending applications need not be refiled.

(d) *Suppliers' applications on WPB-2947*. Each supplier seeking authorization to use or deliver shall file applica-

tion on Form WPB-2947 (formerly PD-602). Filing date is the 20th day of the month before the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-81. The unit of measure is tons. An aggregate quantity may be requested, without specifying customers' names, for delivery on uncertified exempt small orders. Fill in Table II.

(e) *Certified statements of use*. Each person placing orders for delivery of more than five tons of by-product phosphoric acid per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of Order M-300. End use may be specified as "Sodium phosphates", "Superphosphate", or in terms of any other specified product. Proposed use may also be specified as "for resale on further authorization", "for resale on exempt small orders", or "for export" (specify destination and export license number).

(f) *Budget Bureau Approval*. The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board*. Reports and communications concerning this schedule shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-81.

Issued this 27th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-19570; Filed, Dec. 27, 1944;
11:19 a. m.]

PART 3293—CHEMICALS

[General Preference Order M-340 as
Amended Dec. 27, 1944]

MISCELLANEOUS CHEMICALS

Section 3293.491 *Allocation Order M-340* is amended to read as follows:

§ 3293.491 *General Preference Order M-340*—(a) *Definitions*.

(1) "Subject chemical" means any chemical as defined in List 1 attached to this order.

(2) "Preferred order" means any purchase order for subject chemicals which are (i) ultimately to be delivered to or incorporated in material to be delivered to, the United States Army, Navy, Maritime Commission, War Shipping Administration, Panama Canal, Office of Scientific Research and Development, Veterans' Administration, or any government agency pursuant to the Act of March 11, 1941 (Lend-Lease Act), or which are (ii) ultimately to be used for any preferred purpose specified opposite the subject chemical in List 1 attached to this order. An order for a subject chemical may be certified as "preferred order" if the chemical is required to replace withdrawals from inventory within

the previous 30 days to fill "preferred orders".

(b) *Inapplicability of certain preference ratings.* (1) No person shall give any effect to any preference rating below AAA on any purchase order for subject chemicals, unless the person placing the purchase order certifies that it is a "Preferred order".

(2) "Preferred orders" shall be certified in substantially the following form, duly signed by an authorized official:

Certified as Preferred Order under WPB Order M-340.

(Identify purchase order if certificate is not on it or attached to it; if certificate does not cover whole order, add "as to _____ (quantity) of _____ (material)").

(Name of purchaser)

(Signature and title of duly authorized official)

The certificate may be indorsed on or attached to the purchase order and need not be filed with the War Production Board. Any person receiving the certificate may rely upon it unless he knows or has reason to believe that it is false. The standard certification of Priorities Regulation 7 may not be used instead.

(3) A person who receives a subject chemical on a certified "preferred order" shall use the chemical only for the purposes shown in paragraph (a) (2) above, unless otherwise specifically authorized in writing by the War Production Board.

(c) *Special directions.* The War Production Board may at any time issue special directions to any person regarding production, use or delivery of subject chemicals, notwithstanding the other provisions of this order.

(d) *Applicability of regulations.* Except as provided in paragraph (b) above, this order and all transactions affected hereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Communications.* Communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-340.

Issued this 27th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF
[Rubber Order R-1, Direction 7]

CONVERSION OF MILEAGE CONTRACT TUBES TO SYNTHETIC RUBBER

The following direction is issued pursuant to Rubber Order R-1:

Notwithstanding the provisions of paragraph (a) (3) of List 25, entitled "Regulations for the Manufacture of Tire Tubes (Except Airplane and Bicycle Tubes)" of Appendix II, Rubber Order R-1, as amended November 9, 1944, on and after January 1, 1945, crude rubber and latex may be consumed only in valves, valve adhesion pads, splicing gum strips and cements, and identification inks and cements for tubes used in city and intercity bus mileage contract tires of cross sections 10.00 and larger.

All other provisions of List 25 shall remain in full force and effect.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.)

Issued this 27th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-19567; Filed, Dec. 27, 1944; 11:18 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF
[Rubber Order R-1, Direction 8]

FURTHER CONVERSION TO SYNTHETIC RUBBER AND CHANGE IN CRUDE RUBBER CEILING ON CERTAIN TYPES OF TIRES

The following direction is issued pursuant to Rubber Order R-1:

Notwithstanding the provisions of List 24 entitled, "Regulations for the Manufacture of Tires and Tire Casings," Tables A. and B., Appendix II, Rubber Order R-1, as amended November 9, 1944, manufacturers of tires are authorized to manufacture tires to fill both Government and civilian orders as follows:

Size	Ply	Tread type	Compound designation	Maximum content crude rubber in pounds
7.30-16	6	Standard Highway	S-4	12.85
21.00-24	20	Rock Service	S-7	349.00
24	24	do	S-7	370.00

¹ "Maximum content crude rubber" based on Rayon cord construction.

² "Maximum content crude rubber" based on Cotton cord construction.

All other provisions of List 24 shall remain in full force and effect.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1, as amended Dec. 31, 1943, 9 F.R. 64.)

Issued this 27th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-19568; Filed, Dec. 27, 1944; 11:19 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 87]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment will be filed with the Division of the Federal Register.*

General Ration Order 5 is amended in the following respects:

1. The first sentence of section 5.7 (a) is amended to read as follows:

(a) The meal service allotments under this order (except allotments under sections 5.6, 11.6, 12.1 and 13.3 (d)) for foods covered by Revised Ration Order 16 for the allotment periods May-June, July-August, September-October and November-December, 1944, shall be reduced by fifty percent (50%), and for the January-February 1945 allotment period shall be reduced by twenty percent (20%).

2. Section 5.7 (d) (1) is amended by inserting between the words "November-December 1944" and the words "meal service", the words "and January-February 1945".

3. Section 5.7 (d) (2) is amended by inserting between the words "November-December 1944" and the word "period", the words "or January-February 1945".

4. The first sentence of section 5.7 (d) (3) is amended by substituting for the words "50 percent" the words "the percentage of his allotment which he obtains under paragraph (a)".

5. Section 5.7 (d) (4) is amended by inserting between the words "November-December 1944" and the words "meal service" the words "or January-February 1945".

6. Section 5.8 is added to read as follows:

SEC. 5.8 Reduction of allotments of sugar. (a) The allotments for sugar under this order (except allotments under, or computed on bases granted or adjusted under, sections 5.6, 11.6, 12.1, 12.3, 13.3 (d), 28.7, 28.8, 31.1, and 32.1) shall be reduced in the following way:

(1) The allotments for Group II users shall be reduced by ten percent (10%);

(2) The meal service allotments for Group III, IV, V and VI users who meet either of the baking tests in Supplement 3 shall be reduced by ten percent (10%);

(3) The meal service allotments for Group III, IV, V and VI users who do not meet either of the baking tests in Supplement 3 and for persons receiving allotments under § 26.1 shall be reduced by fifteen percent (15%);

(4) The refreshment allotments for Group III, IV, V and VI users shall be reduced by ten percent (10%).

*Copies may be obtained from the Office of Price Administration.

¹8 F.R. 10002, 11479, 11480, 11676, 12403, 12483, 12557, 12744, 14472, 15488, 16787, 17486; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2287, 2476, 2789, 3030, 3075, 3340, 3577, 3704, 5196, 4393, 4647, 4873, 5041, 5232, 5584, 5915, 6108, 6504, 6628, 6716, 7260, 7703, 7770, 8242, 8815, 9952, 10089, 10577, 10578, 12121, 12449, 12919.

7. Section 13.3 (d) is amended by inserting between the words "for meal services" and the words "which have been granted" in the second sentence, the words "(as reduced under sections 5.7 and 5.8)".

8. Section 13.3 (f) (1) is amended by deleting the words "section 5.7" and substituting the words "sections 5.7 and 5.8".

9. Section 13.3 (f) (2) is amended by inserting the following sentence after the first sentence of that subparagraph: "His use of sugar is determined by dividing his actual use by the difference between one hundred percent (100%) and the percentage by which the allotment of a comparable establishment was reduced under section 5.8."

10. Section 15.6 is added to read as follows:

SEC. 15.6 Restrictions on acquisition and use of rationed foods by institutional users during the January-February 1945 allotment period. (a) No institutional user (other than a Group I user) may use more of a rationed food during the January-February 1945 allotment period than the amount of his allotment for the period (including any supplemental allotment he may obtain for that period).

(b) No institutional user (other than a Group I user) may acquire more of a rationed food during the January-February 1945 allotment period than the amount of his allotment for that period (including any supplemental allotment he may obtain for that period). For purposes of this paragraph, his allotment for that period shall also be deemed to include his reserve allotment, and any future allotment he may obtain under section 5.4. He may not acquire any rationed food during that period if he had on hand on January 1, 1945 an amount equal to or greater than the amount of his allotment of that food for that period. In addition, he may not acquire any rationed food during that period if such acquisition would bring the total of such food he had on hand on January 1, 1945, plus the amount of that food he has acquired during the January-February 1945, allotment period, above the amount of his allotment of that food for that period.

11. Section 17.1 (d) is amended by deleting the words "ten days" in the third sentence of that paragraph and substituting the word "week".

12. Section 18.4 is added to read as follows:

SEC. 18.4 Institutional users must report their ration bank balances, inventories, and ration evidences on hand as of January 1, 1945. (a) Each institutional user (other than a Group I user) must report on OPA Form R-315, to the board with which he is registered, for each rationed food, as of the close of business on December 31, 1944, stating separately:

(1) His inventory of that food (in points for processed foods and foods covered by Revised Ration Order 16, and in pounds for sugar);

(2) The balance, less outstanding checks, in his ration bank account (if any);

(3) The amount of ration evidences he has on hand;

(4) The amount of ration evidences which he has sent to his suppliers and for which he has not yet received foods;

(5) The amount of food in his inventory reported in (1), in points for processed foods and foods covered by Revised Ration Order 16 and in pounds for sugar, for which he has not yet given up ration evidences to his suppliers.

(b) If he has only one institutional user establishment, or more than one such establishment registered separately, the report must be filed not later than January 7, 1945. If he has more than one establishment registered together, the report must be filed not later than January 14, 1945.

(c) No institutional user may get an allotment after January 7, 1945 or January 14, 1945, as the case may be, unless he has made the report required by this section to the board with which he is registered.

13. Section 26.1 (c) is amended by deleting the words "Supplement 1, paragraph (b) and Supplement 2, paragraph (c)" in the first sentence of that paragraph and substituting the words "Supplement 1, paragraph (c)".

14. Sections 27.2 (a), 27.2 (a) (1), 27.2 (b) (2), and 27.2 (d) are amended by inserting the words "fresh fish, poultry and" before the words "fresh milk" whenever they appear in those sections.

15. Section 27.2 (b) (4) is amended to read as follows:

(4) The pounds of fresh fish and poultry and the quarts of fresh milk which the applicant can get, and use during the period covered by the application; and

This amendment shall become effective at 12:01 a. m. December 26, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19516; Filed, Dec. 26, 1944;
5:07 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 7 to Supp. 1']

FOOD RATIONING FOR INSTITUTIONAL USERS

Section 1305.203 is amended by adding paragraph (c) to read as follows:

(c) Allowance per person under section 26.1.

¹8 F.R. 10002, 11479, 11480, 11676, 12403, 12483, 12744, 14472, 15488, 16787, 17486; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2287, 2476, 2789, 3030, 3075, 3577, 3704, 4196, 4393, 4647, 4873, 5041, 5232, 5584, 5826, 5915, 6108, 6504, 6628, 6716, 7260, 7703, 7770, 8242, 8813.

Rationed food:	Allowance per person
Processed foods	0.7 point.
Sugar	0.3 pound.
Foods covered by Revised Ration Order 16	1.0 point.

This amendment shall become effective at 12:01 a. m. December 26, 1944.

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19519; Filed, Dec. 26, 1944;
5:07 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 7,¹ Amdt. 12]

METHOD OF SURRENDER AND DEPOSIT OF RATION STAMPS AND COUPONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 7 is amended in the following respects:

1. Section 1.1 is amended by adding a new paragraph (b) to read as follows:

(b) This order does not apply to stamps in War Ration Book Four designated for the acquisition of sugar. Stamps designated for the acquisition of sugar may be transferred, surrendered or deposited only if they are affixed to gummed sheets or cards in accordance with the procedure set forth in Second Revised Ration Order No. 3.

2. The word "sugar" appearing in the parenthesis in the first sentence of section 1.3 (a) is deleted.

This amendment shall become effective at 12:01 a. m. December 26, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9334, 8 F.R. 5423; WPB. Dir. 1, 7 F.R. 562; Sec. of Agr. War Food Orders Nos. 56, 58, 59, 61 and 64, 8 F.R. 2005, 2251, 3471, 7093, 9 F.R. 4319; Supp. 1 to War Food Order No. 61 9 F.R. 9134, 9389)

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19511; Filed, Dec. 26, 1944;
5:08 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 9,² Amdt. 8]

TEMPORARY FOOD RATIONS

A rationale for this amendment will be filed with the Division of the Federal Register.*

General Ration Order No. 9 is amended in the following respects:

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 2585, 2997, 4840, 6965, 11738, 16279, 16839; 9 F.R. 2287, 5216, 7704.

² 8 F.R. 7107, 10079, 12796, 15378, 16115; 9 F.R. 4348, 4874.

1. Section 1305.65 (c) is amended by amending the second sentence to read as follows:

The certificates or other ration evidences shall be for 10 points of processed foods and 6 points of foods covered by Revised Ration Order 16 for each nine (9) meals (or fraction thereof) which he will eat at such place during the period of time stated on the application.

2. The second sentence of § 1305.65a (c) is amended by amending the phrase "3 points of foods covered by Ration Order 16" to read "12 points of foods covered by Revised Ration Order 16".

This amendment shall become effective at 12:01 a. m., December 26, 1944.

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19517; Filed, Dec. 26, 1944;
5:06 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421,¹ Amdt. 18]

CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 421 is amended in the following respects:

1. Section 22a (b) is amended to read as follows:

(b) *Frozen fruits, berries, and vegetables.* After you have figured a ceiling price under this regulation for an item of frozen fruits, berries, fruit or berry juices, vegetables or vegetable juices which is covered by Supplement 6 to Food Products Regulation No. 1,² you must, on the fifth day of each month, add $\frac{1}{8}$ cent per pound to your existing ceiling price.

Furthermore, by the opening of business on January 2, 1945, you must have refigured your ceiling price for each item of frozen red sour cherries of the 1944 pack in accordance with the rules in sections 3 and 4, basing your net cost, however, upon the last delivery of the item to you before January 2, 1945. Thereafter, you must increase your ceiling prices each month for such items in accordance with this paragraph.

2. Section 32 (b) (13) is amended to read as follows:

(13) "Frozen foods" means packaged quick-frozen or cold-packed foods, including but not limited to all fruits, berries, fruit or berry juices, and mixtures (except any of the foregoing in containers of a capacity of more than 50 pounds), vegetables, vegetable juices and mixtures, including mushrooms, dog and cat food not prepared by you for pet

¹ 9 F.R. 5648, 9719, 10257, 10982, 11537, 11711, 11901, 13974.

² 9 F.R. 8057, 10045, 11901.

food, apple sauce, macaroni and spaghetti products, chop suey, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash. Excluded are frozen pies and pastries, frozen meat, poultry, fish and seafood, ice cream, sherbet and frozen confections.

NOTE: The 1943 pack of canned fruits and frozen fruits shall be considered different items from the 1942 pack of fruits and you must figure separate ceiling prices for each item of the 1943 pack.

This amendment shall become effective January 2, 1945.

Issued this 26th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19529; Filed, Dec. 26, 1944;
5:13 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,¹ Amdt. 37]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 422 is amended in the following respects:

1. Section 20 (m) is amended to read as follows:

(m) *Frozen fruits, berries, and vegetables.* After you have figured a ceiling price under this regulation for an item of frozen fruits, berries, fruit or berry juices, vegetables or vegetable juices which is covered by Supplement No. 6 to Food Products Regulation No. 1,² you must refigure your ceiling price on the fifteenth day of each month. In refiguring your ceiling price, add to the "net cost" on which your existing ceiling price is based, the amount of $\frac{1}{8}$ cent per pound.

Furthermore, by the opening of business on January 2, 1945, you must have refigured your ceiling price for each item of frozen red sour cherries of the 1944 pack in accordance with the rules in sections 3 and 4, basing your net cost, however, upon the last delivery of the item to you before January 2, 1945. Thereafter, you must refigure your ceiling prices each month for such items in accordance with this paragraph.

2. Section 38 (b) (13) is amended to read as follows:

(13) "Frozen foods" means packaged quick-frozen or cold-packed foods, sold from refrigerated cabinets or lockers, including but not limited to all fruits, berries, fruit or berry juices, and mixtures (except any of the foregoing in containers of a capacity of more than 50

¹ 9 F.R. 5656, 6828, 6951, 7339, 7520, 7937, 9354, 9719, 10258, 10982, 11537, 11711, 11901, 12343, 12593, 12589, 12590, 12746, 12972,

² 9 F.R. 8057, 10045, 11901.

pounds), vegetables, vegetable juices and mixtures, including mushrooms, dog and cat food not prepared by you for pet food, apple sauce, macaroni and spaghetti products, chop suey, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash. Excluded are frozen pies and pastries, frozen meat, poultry, fish and seafood, ice cream, sherbet and frozen confections.

NOTE: The 1943 pack of canned fruits and frozen fruits shall be considered different items from the 1942 pack of fruits and you must figure separate ceiling prices for each item of the 1943 pack.

This amendment shall become effective January 2, 1945.

Issued this 26th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19525; Filed, Dec. 26, 1944;
5:13 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423, Amdt. 36]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN \$250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 27 (b) (13) is amended to read as follows:

(13) "Frozen foods" means packaged quick-frozen or cold-packed foods, sold from refrigerated cabinets or lockers, including but not limited to all fruits, berries, fruit or berry juices and mixtures (except any of the foregoing in containers of a capacity of more than 50 pounds), vegetables, vegetable juices and mixtures, including mushrooms, dog and cat food not prepared by you for pet food, apple sauce, macaroni and spaghetti products, chop suey, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash. Excluded are frozen pies and pastries, frozen meat, poultry, fish and seafood, ice cream, sherbet and frozen confections.

NOTE: The 1943 pack of canned fruits and frozen fruits shall be considered different items from the 1942 pack of fruits and you must figure separate ceiling prices for each item of the 1943 pack.

This amendment shall become effective January 2, 1945.

Issued this 26th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19524; Filed, Dec. 26, 1944;
5:13 p. m.]

*Copies may be obtained from the Office of Price Administration.

¹⁹ F.R. 5671, 6829, 7340, 7520, 7937, 9354, 9720, 10259, 10982, 11537, 11711, 11902, 12340, 12593, 12746, 12972.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3, Amdt. 3]

SUGAR

A rationale for this amendment will be filed with the Division of the Federal Register.*

Second Revised Ration Order 3 is amended in the following respects:

1. Section 2.3 (e) is amended by deleting the words "February 28, 1945" and inserting in place thereof the words "December 25, 1944".

2. Section 2.4 is amended by deleting the words "before March 1, 1945" and inserting in place thereof the words "through December 25, 1944".

3. Section 3.4 (h) is added to read as follows:

(h) *Exception.* Notwithstanding the provisions of this section, an industrial user may not obtain an increase in his allotments under this section for the production of jams, jellies, preserves, marmalades or fruit butters (Class 18 of Section 3.18).

4. Section 3.7 (h) is amended by deleting the words "section 3.12 (c)" and inserting in place thereof the words "section 3.8 (c)".

5. Section 3.23 is added to read as follows:

SEC. 3.23 *Limitation on acquisition and use of sugar by industrial users during the first allotment period of 1945.* (a) An industrial user may not acquire or use more sugar during the first allotment period of 1945 than the total of the following:

(1) The amount of his allotment for the first allotment period of 1945; and

(2) The sugar he may use during the first period to make products for which he has obtained a provisional allowance; and

(3) Any unused advance of sugar or evidences obtained, before January 1, 1945, under General Ration Order 11.

(b) An industrial user may not acquire any sugar during the first allotment period of 1945, if he had on hand on January 1, 1945, an amount equal to or greater than the total amount described in paragraph (a). An industrial user also may not acquire sugar during that period if such acquisition would bring the total of the sugar he had on hand on January 1, 1945, plus the amount of sugar he has acquired during the first allotment period, above the total amount described in paragraph (a).

(c) The prohibitions against the acquisition of sugar contained in paragraphs (a) and (b) shall not apply after March 15, 1945. (However, he may not use, during the first period sugar in excess of the amount permitted by (a).)

6. Section 3.25 is added to read as follows:

SEC. 3.25 *Industrial users must report their ration bank balances inventories and sugar on hand as of January 1, 1945.*

(a) Each industrial user must file with the Board (or District Office) with which he is registered, a signed report showing separately, as of the close of business on December 31, 1944:

- (1) His name and address;
- (2) The amount of sugar on hand;
- (3) The balance, less outstanding checks, in his ration bank account (if any);

(4) The amount of evidences he has on hand (including those which he has sent to his suppliers and for which he has not yet received sugar);

(5) Any advance of sugar or evidences he has which he obtained under General Ration Order 11;

(6) Sugar or evidences he has which he obtained for a provisional allowance use;

(7) Evidences received under his allotment for the first period of 1945, or sugar acquired with such evidences.

(b) If he has one industrial user establishment, or more than one such establishment registered separately, the report must be filed not later than January 7, 1945. If he has more than one establishment registered together, the report must be filed not later than January 14, 1945.

(c) No industrial user may get an allotment after January 7, 1945 or January 14, 1945, as the case may be, unless he has made the report required by this section to the Board (or District Office) with which he is registered.

7. Section 5.5 (d) is amended by inserting in the first sentence between the words "may" and "apply" the words "before December 26, 1944".

8. Section 5.5 (e) is amended by inserting in the first sentence between the words "may" and "apply" the words "before December 26, 1944" and by deleting the last three sentences thereof and inserting in place thereof the following: "The increase granted under this paragraph is cancelled on January 26, 1945. A registering unit which has been granted an increase under this section may not accept any deliveries of sugar after January 26, 1945, unless he has surrendered to the Board for cancellation evidences covering the increase or has obtained an adjustment under section 5.15."

9. Section 5.15 is added to read as follows:

SEC. 5.15 *A registering unit may apply for evidences to restore depleted inventories.* (a) A registering unit whose inventory of sugar and evidences has been reduced to less than his permanent allowable inventory (or would be so reduced if he gives up the evidences required under section 5.5 (e)) and who finds it would be a hardship to operate with the sugar and evidences he has, may apply before February 18, 1945 for an adjustment. Only one application under this section may be made by a registering unit.

(b) Applications shall be made in duplicate to the Board on OPA Form R-315. The application must state the amount of sugar he has on hand as of any date between December 31, 1944 and the time of his application, and the date on which he took that inventory. In addition, it must show, as of the date on which he took his inventory of sugar on hand:

(1) The balance, if any, less outstanding checks in his ration bank account;

(2) The amount of evidences he has on hand;

(3) The amount of evidences he has sent to his supplier and for which he has not received sugar;

(4) The amount of evidences surrendered to him for sugar he has not yet delivered;

(5) The amount of evidences he owes his supplier for sugar that has been delivered to him;

(6) The amount of any sugar he delivered without getting valid evidences;

(7) That this adjustment is necessary because it will be a hardship for him to operate with the sugar and evidences he has; and

(8) That he has not previously obtained an adjustment under this section.

(c) If the Board finds that the amount of sugar on hand plus the total of the amounts stated in (b) (1), (2), (3) and (6) less the amounts stated in (b) (4) and (5) is less than the amount of his permanent allowable inventory, that the applicant has repaid the increase granted under section 5.5 (e), and that the facts stated in the application are true, it shall issue to the registering unit a check to cover the difference. If the registering unit applied for an adjustment because its inventory of sugar and evidences would be less than its permanent allowable inventory if it gave up evidences under section 5.5 (e) and it has not yet given up such evidences, the registering unit shall be required to issue to the Board evidences for the value of the evidences and sugar it has above its permanent allowable inventory. In the latter case, the increase granted under section 5.5 (e) shall be considered fully repaid. (For example, a retailer having a permanent allowable inventory of 10,000 pounds of sugar who has received evidences for an additional 10,000 pounds as temporary increases under section 5.5 (d) and (e) should have a total of evidence and sugar of 20,000 pounds. If his current inventory is now only 13,000 pounds, so that after paying back 5,000 of this amount pursuant to section 5.5 (e) he would have an inventory of only 8,000, instead of the 15,000 pounds he should have, he may be permitted to give up only 3,000 pounds of evidences under this section. His actual inventory will then be equal to his permanent allowable inventory of 10,000 pounds, and his obligation under section 5.5 (e) will have been discharged.)

(d) Nothing in this section shall be considered to forgive or excuse any violations by the applicant of this or any other order of the Office of Price Administration, or to affect any action which may be taken by the Office of Price Administration with respect to such violations.

10. Section 5.16 is added to read as follows:

SEC. 5.16 *Certain registering units must make a report of inventory as of January 1, 1945.* (a) The owner of a registering unit which includes or is composed of one or more wholesale establishments, or four or more retail establishments, must, before January 31, 1945, file with the Board with which he

is registered a signed report, in duplicate, showing separately, as of the close of business on December 31, 1944:

(1) His name and address;

(2) The amount of sugar on hand;

(3) The balance, less outstanding checks, in his ration bank account, if any;

(4) The amount of evidences he has on hand at the opening of business on January 1, 1945;

(5) The amount of evidences he has sent to his supplier and for which he has not received sugar;

(6) The amount of evidences surrendered to him for sugar he has not yet delivered;

(7) The amount of evidences (if any) he owes his supplier for sugar that has been delivered to him; and

(8) The amount of sugar (if any) he delivered without getting valid evidences.

11. Section 7.4 (b) is amended to read as follows:

(b) A registering unit or primary distributor to which stamps are surrendered by a consumer must paste the stamps on gummed sheets (OPA Form R-120-A or a similar sheet). The information required on the face of the sheets shall be filled in by the registering unit before it surrenders such sheet for the purposes of authorizing a delivery of sugar to it. The name and address of the registering unit, Collector of Customs, or primary distributor to whom the sheet is being surrendered shall be written on the back of the sheet by the registering unit surrendering the sheet. Before a sheet may be surrendered for the purpose of deposit, the person surrendering the sheet shall, if he affixed the stamps to the sheet, fill in the information required on the face of the sheet, or, if he received the sheet with stamps affixed, endorse it by writing his name on its back. Only stamps of the same weight value which authorize the delivery of sugar to the registering unit at the time they are surrendered, may be pasted on the same sheet.

12. Section 7.5 (b) is amended to read as follows:

(b) (1) A "ration coupon" (OPA Form R-325 (Revised)) may be used by a consumer through December 25, 1944 to get five pounds of sugar. If received in accordance with this order, by a registering unit which is neither a depositor nor required to be one, it authorizes the registering unit to take delivery of five pounds of sugar, through January 25, 1945. If surrendered to a depositor, it shall be valid for deposit in his account through February 5, 1945.

(2) A "ration coupon" (OPA Form R-1209 or R-330) may be used by a consumer at any time to get one pound of sugar. If received in accordance with this order by a registering unit which is neither a depositor or required to be one, it authorizes the registering unit to take delivery of one pound of sugar at any time. If it is surrendered to a depositor it is valid for deposit in his account at any time. (The one pound ration coupon may be issued only pursuant to General Ration Order No. 9 and section 2.8 of this order.)

13. Section 7.12 (b) (1) is amended by inserting between the words "credits" and "the national" the word "from".

14. Section 17.16 is added to read as follows:

SEC. 17.16 *Debits and reductions because of invalid stamps*—(a) *General.* If the District Director or his designee finds upon an examination that any stamps deposited in the ration bank account of any registering unit or primary distributor, or any other stamps of the registering unit or primary distributor are expired, counterfeit, or not yet valid, the following action shall be taken:

(1) *Stamps received by a registering unit or primary distributor from another registering unit.* If such stamps were received by a registering unit or primary distributor from another registering unit, the District Director or his designee shall:

(i) Cause the ration bank account of the registering unit that deposited the stamps to be debited in the amount of the invalid stamps;

(ii) Notify the registering unit or the primary distributor depositing the invalid stamps and the registering unit that attached the stamps to the gummed sheets pursuant to subparagraph (3) of this paragraph.

(2) *Stamps received by a registering unit from a consumer.* If such stamps were received by the registering unit from a consumer, the District Director or his designee shall:

(i) Cause the ration bank account of the registering unit to be debited in the amount of the invalid stamps;

(ii) Reduce the allowable inventory of the registering unit in the amount of the invalid stamps; and

(iii) Notify the registering unit pursuant to subparagraph (3) of this paragraph.

(3) *Contents of notice.* The notice to the registering unit or primary distributor shall contain the following information:

(i) The number of invalid stamps;

(ii) The circumstances under which the invalid stamps were discovered and the reason for the invalidity of the stamps;

(iii) A statement advising the registering unit or primary distributor that he may, within fourteen (14) days after the date of the notice, request the District Director to afford him an opportunity to satisfy the District Director or his designee that the alleged invalid stamps were valid for the delivery of sugar;

(iv) If the notice is directed to a registering unit or primary distributor which received the invalid stamps from another registering unit, it shall also contain the following information:

(a) If the invalid stamps have been credited to the registering unit or primary distributor's ration bank account, a statement (where this is the case) that such account has been debited in the amount of the invalid stamps;

(b) That the registering unit must obtain valid evidence from the registering unit which attached the invalid stamps to the gummed sheets to replace such invalid stamps when the determination

of the invalidity of the stamps becomes final; and

(e) That such determination shall become final on the fifteenth day after the date of the notice unless the registering unit is otherwise informed.

(v) If notice is directed to a registering unit which attached invalid stamps to a gummed sheet which it deposited in its ration bank account, it shall also contain the following information:

(a) A statement that its ration bank account has been debited in the amount of such invalid stamps;

(b) That its allowable inventory is reduced by the amount of the invalid stamps, effective on the 19th day after the date of the notice.

(vi) If notice is directed to a registering unit which attached invalid stamps to a gummed sheet, which it has surrendered to another registering unit for sugar, it shall also contain the following information:

(a) A statement that the registering unit attaching the stamps to the gummed sheets must surrender valid evidences to the registering unit which deposited the invalid stamps to replace the invalid stamps;

(b) A statement that the allowable inventory of the registering unit which attached the invalid stamps to the gummed sheets is decreased in the amount of the invalid stamps, effective the fifteenth day after the date of notice.

(4) *Board where registering unit is registered to be notified.* If the District Director or his designee notifies a registering unit that its allowable inventory has been decreased, he shall also send a notice to the Board with which the registering unit is registered, stating that the allowable inventory of such registering unit has been decreased in the specified amount of the invalid stamps and that such decrease shall be effective on the fifteenth day following the date of notice.

(b) *Effective date of the determination of invalidity; reversal or debits if stamps prove to be valid.* A person desiring an opportunity to demonstrate that he did not acquire and surrender invalid stamps and that his allowable inventory shall, therefore, not be reduced may file a written request with the District Director within fourteen (14) days from the date of the notice sent him pursuant to paragraph (a) of this section. If he files such request within the prescribed time, the District Director or his designee shall afford him such opportunity, not later than fifteen (15) days from the date that the request was filed, to present evidence to establish that he did not acquire or surrender invalid stamps. If he files such request within the prescribed time, the District Director or his designee shall afford him such opportunity, not later than fifteen (15) days from the date that the request was filed, to present evidence to establish that he did not acquire or surrender invalid stamps. If the date of the hearing is later than fourteen (14) days after the date of the original notice of the invalidity of the stamps sent to a registering unit pursuant to para-

graph (a) of this section, the District Director shall inform such registering unit that determination of the invalidity of stamps and the decrease in his allowable inventory will not become final until further notice.

If the District Director or his designee finds after hearing, that the person neither acquired nor surrendered invalid stamps, he shall modify his former determination and take appropriate action to replace the stamps and restore the allowable inventory in accordance with the new findings. In such a case, the District Director or his designee will send appropriate notices to the registering units previously notified and to the appropriate Board and ration bank setting forth the action taken.

If the person does not file his request in the prescribed time, or fails to establish that he did not acquire or surrender invalid stamps, then the determination becomes final and the decrease in allowable inventory based on the invalid stamps becomes effective. Thereupon, it the Board has been notified that the determination of the invalidity of the stamps or the decreases in the allowable inventory shall not become final or effective until further notice, the District Director or his designee shall notify the Board that the determination has become final and the decrease in the allowable inventory has become effective.

In any case where the determination that a registering unit has acquired or surrendered invalid stamps has become final or a decrease in the allowable inventory of a registering unit has become effective, the District Director or his designee may inform any appropriate Board of such facts.

(c) *Appeal.* Any registering unit may appeal to the Regional Administrator from an adverse decision of a District Director or his designee. In such a case, the decision of the Regional Administrator shall be final, and there shall be no further right of appeal. However, where the Regional Administrator sits in place of a District Director there shall be a right of appeal to the Washington Office of the Office of Price Administration. The appeal shall be pursuant to the provisions of Procedural Regulation No. 9.

15. Section 17.17 is added to read as follows:

SEC. 17.17 *Restoration of decrease in registering unit's allowable inventory resulting from invalid stamps and replacement of stamps*—(a) *General.* Any registering unit may apply to its District Office for a restoration of any decreases in its allowable inventory made by the District Director or his designee pursuant to section 17.16 (and not already restored) caused by his acquiring or surrendering expired or counterfeit stamps or stamps not yet valid.

(b) *When application is made.* Any application for the restoration of a decrease or reduction must be filed with the District Office within ninety (90) days from the date of the notice of such decrease and no registering unit may file

such application more frequently than once in sixty (60) days.

(c) *How application is made.* Application shall be made on OPA Form R-315 to the District Office having jurisdiction over the Board where such registering unit is registered. The application shall separately state:

(1) The amount of sugar he has on hand at the time of application;

(2) The balance, less outstanding checks, in his ration bank account at the time of application;

(3) The amount of evidences on hand at the time of application;

(4) The amount of evidences he has sent to his supplier for which he has not received evidences;

(5) The amount of evidences surrendered to him for sugar which he has not delivered; and

(6) The amount of evidences (if any) owed to him for deliveries of sugar from April 20, 1942 to the time of application;

(7) In addition, he must state:

(i) The total amount of the decreases in allowable inventory with respect to which he is applying for restoration and the date and amount of each decrease;

(ii) The record of the amount of sugar transferred by the registering unit for each calendar month, separately stated, in which the invalid stamps were surrendered;

(iii) A statement from his suppliers showing their deliveries of sugar to the registering unit for each calendar month, separately stated, for the twenty-four months preceding the date of application, or a statement from the suppliers that such records are not available, or a statement by the applicant showing that he has made a diligent effort to obtain such statement and why it is not possible to furnish them. When the applicant is unable to furnish such statements from suppliers showing such deliveries, he shall set forth the deliveries of sugar by the registering unit for such months or state why it is not possible for him to furnish information of such deliveries. However, in connection with subsequent applications, the applicant need not repeat the information already given but shall furnish such statements for the period from the date of filing of preceding application to the date of the current application.

(8) With respect to invalid stamps surrendered by the applicant to his supplier, a certification from his supplier that valid evidences were received from the applicant to replace the invalid evidences, or a statement from the applicant that he made the replacement and why he is unable to supply such certification from his supplier, and his certification that he did not have actual notice of the debiting program when he surrendered such invalid stamps.

(9) The amount of sugar he had on hand at the beginning of the period covered by the application.

(10) The amount of sugar received by him during the period.

(11) The total amount of sugar he delivered during that period.

(12) In addition, the application shall state:

(i) The measures taken by the applicant to determine the reliability and trustworthiness of employees prior to their being hired;

(ii) The instructions given employees with respect to the sugar regulations both before and after the stamps were determined to be invalid;

(iii) The supervision exercised over the employees (before and after stamps were determined to be invalid) to make certain that the instructions with respect to the sugar regulations were carried out, including the frequency of visits to the place of business by the owner or supervisor.

(iv) The disciplinary and corrective action taken against employees found to be violating the regulations, and the period within which such action was taken after discovery of the violations; and

(v) Whether a prompt or full disclosure of any violation by employees was made to the Enforcement Department of the Office of Price Administration.

(d) *Action by the District Office.* (1) After the District Director or a person designated by him for that purpose finds that the applicant has had his allowable inventory decreased as set forth in paragraph (a) of section 17.16 and that his application meets the requirements of (b) and (c) of this section, he shall, subject to the provisions of subparagraph (a) of this paragraph, instruct the Board with which the registrant is registered to issue to the applicant a check to replace the invalid stamps on which the decrease in allowable inventory was based, but in an amount not to exceed one percent (1%) of the amount of sugar delivered by the registering unit in the calendar month in which such invalid stamps were surrendered to his supplier, or deposited, as the case may be. He shall also notify the Board that the allowable inventory of the registrant is increased in that amount.

(2) Notwithstanding the provisions of subparagraph (1) of this paragraph, no replacement of stamps or increase in allowable inventory may be allowed if, after a hearing, the District Director or his designee finds, or if a hearing commissioner in any Administrative Suspension Proceeding finds any of the following facts:

(i) That in the period covered by the application or thereafter, stamps or other evidences were acquired by the applicant other than lawfully in exchange for a delivery of sugar or from the Office of Price Administration;

(ii) That during the period covered by the application or thereafter, the applicant knowingly accepted counterfeit evidences.

(3) No replacement of stamps or increase in allowable inventory may be

granted while any administrative suspension proceeding is pending against the applicant or during the period of a suspension of the applicant under any administrative suspension order.

(e) *Restoration not a waiver of violation.* No restoration granted under this section shall be construed to forgive or excuse any violations by the applicant of this or any other order of the Office of Price Administration, or to affect any action which may be taken by the Office of Price Administration with respect to any such violations.

(f) *Appeal.* The applicant may appeal to the Regional Administrator from an adverse decision of the District Director or his designee. In such case the decision of the Regional Administrator shall be final and there shall be no further right of appeal. However, where the Regional Administrator acts in place of a District Director there shall be a right of appeal to the Washington Office of the Office of Price Administration from the decision of the Regional Administrator. The appeal shall be made pursuant to the provisions of Procedural Regulation No. 9.

16. Section 17.18 is added to read as follows:

SEC. 17.18 *Application to replace invalid stamps received by a registering unit from another registering unit—(a) General.* A registering unit or primary distributor whose ration bank account has been debited because he has received from another registering unit, for sugar, expired or counterfeit stamps or stamps not yet valid and who is unable to collect in replacement valid evidences from such registering unit, although he has made reasonable and bona fide efforts to do so, may apply to the District Director for ration evidences in the amount of the debit.

(b) *Application.* Application shall be made on OPA Form R-315 to his District Office.

The applicant shall also furnish the following information:

(1) The name and address of the registering unit which attached the invalid stamps to the gummed sheets;

(2) The amount of the debit based on the invalid stamps attached by such registering unit;

(3) The date of notice of the invalidity of such stamps;

(4) The amount of valid evidences, if any, received from such registering unit in replacement of such debit; and

(5) A statement of the efforts he has made, and why he is unable to obtain valid evidences from such registering unit to replace all invalid stamps.

(c) *Action by the District Director.* If the District Director or his designee is satisfied that the applicant has satisfied the requirements in paragraphs (a) and (b) of this section, he shall instruct the Board having jurisdiction over the area in which the place of business of the applicant is located to issue to the applicant appropriate evidences in an amount in the amount of the debit or that portion of the debit for which valid evidence has not been secured.

(d) *Appeal.* The applicant may appeal to the Regional Administrator from an adverse decision of a District Director or his designee. In such a case, the decision of the Regional Administrator shall be final, and there shall be no further right of appeal. However, where the Regional Administrator acts in place of a District Director, there shall be a right of appeal to the Washington Office of the Office of Price Administration. The appeal shall be pursuant to the provisions of Procedural Regulation No. 9.

17. Section 18.1 (c) (30) is amended to read as follows:

(3) "Coupon" means a "ration coupon" (OPA Form R-325 (Revised), OPA Form R-330, or OPA Form R-1209).

18. Section 19.3 is amended by deleting items No. 16 through 20 and adding new items to read as follows:

Ration period	Stamp valid during ration period	Weight value of stamp
*****	*****	*****
No. 16 (Jan. 16, 1944, through Dec. 25, 1944)	Book Four, Sugar Stamp 30	5
No. 17 (Apr. 1, 1944, through Dec. 25, 1944)	Book Four, Sugar Stamp 31	5
No. 18 (June 16, 1944, through Dec. 25, 1944)	Book Four, Sugar Stamp 32	5
No. 19 (Sept. 1, 1944, through Dec. 25, 1944)	Book Four, Sugar Stamp 33	5
No. 20 (Nov. 16, 1944 to date to be announced by the Office of Price Administration)	Book Four, Sugar Stamp 34	5

This amendment shall become effective at 12:01 a. m. December 26, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19510; Filed, Dec. 26, 1944; 5:05 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. R. O. 13;¹ Amdt. 70]

PROCESSED FOODS

A rationale for this amendment will be filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 2.4 (b) is amended to read as follows:

(b) *Stamps may be used only during certain periods.* Each stamp in War Ration Book Four is good only during a certain period, and a consumer may use it only during that period. The combination of letter and number printed on the stamps serves to indicate the time when the stamp may be used by consumers. The periods during which stamps in War Ration Book Four may be used will be fixed in a supplement to this order.

2. Section 2.4 (e) is amended by inserting the following sentence between the first sentence (ending with the words " * * with his order.") and the second sentence (beginning with the words "If the seller * * *"): "The stamps are good if the envelope in which they are enclosed is postmarked on or before the last day on which they may be used by a consumer, even if the seller does not receive them until after that date."

3. Section 3.1 (a) is amended to read as follows:

(a) *A place where processed foods are produced is a processor establishment.* Any place at which a "person" produces "processed foods" for sale or other "transfer" or for "industrial use", is a "processor establishment".

(1) A person produces processed foods:

(i) If he bottles, cans, or packs any of the products, which are included within the definition of processed foods in Section 27.1 (a) (10), in hermetically sealed containers and sterilizes them by the use of heat; or

(ii) If he packs fruit or vegetable juices (which are included within the definition of processed foods in section 27.1 (a) (10)) from containers over one gallon into hermetically sealed containers of one gallon or less and sterilizes them by the use of heat; or

(iii) If he uses processed foods to produce other processed foods (as, if he uses canned peaches to make canned fruit salad).

4. Section 4.2 (e) is amended to read as follows:

(e) *Registration of persons who become wholesalers because of additions to the list of processed foods.* (1) A person who becomes a wholesaler because foods he keeps for sale or transfer are added

to the list of processed foods, must, within eight days after such addition, file a statement on OPA Form R-315. The statement must show:

(i) The name and address of each of his wholesale establishments;

(ii) His inventory of each such item of food, in pounds and point value, as of the date on which it was added; and

(iii) His registration number, if he was previously registered as a wholesaler, or, if he was not registered, his sales or transfers of each such item during the preceding reporting period (exclusive of exchanges, returns and transfers from one to another of his wholesale establishments) multiplied by the point value assigned to that item when it was added.

The statement must be mailed to the Office of Price Administration, Food Rationing Division, Processed Foods Branch, Washington 25, D. C., and is treated as his registration.

(2) A fixed base, for the purpose of computing his maximum allowable inventory will be assigned to him by the Washington Office. A check will be issued to him by the Washington Office to enable him to operate.

5. Section 6.3 (c) is amended by adding at the end thereof the following: "However, he must register his use of those foods in the way described in Section 6.7 within 20 days after a point value higher than zero is assigned to those foods. He must attach to his registration on OPA Form R-1200 a statement showing the point value of his inventory of those foods as of the time when a point value higher than zero was assigned to them."

6. Section 6.4 (e) is added to read as follows:

(e) Within 20 days after the date on which a point value higher than zero is assigned to a processed food, every person already registered as an industrial user under this order must report to the board or district office with which he is registered, his inventory of that food, in pounds and point value, as of the date on which a point value higher than zero was assigned to it. His inventory of that food shall be treated as excess inventory.

7. Section 6.6 (m) is added to read as follows:

(m) *Adjustment in allotment of industrial users of processed foods assigned a point value (other than zero) after September 17, 1944.* Any person already registered as an industrial user who, during the first quarter of his base period, used a food which was removed from the definition of processed foods on September 17, 1944, but which becomes a processed food with a point value (other than zero) after September 17, 1944, may apply for an adjustment in his allotment. The application shall be made, after the processed food is assigned a point value (other than zero), on OPA Form R-315 to the board or district office with which he is registered, and must estimate the number of pounds of such food (separately for each item as listed on the Official Table of Point Values which first assigned the point value other than zero to those items after September 17, 1944)

which he used during the first quarter of his base period. The Board or district office may grant the application if it finds that the industrial user, during the first quarter of his base period, used a food which was removed from the definition of processed foods on September 17, 1944, but which became a processed food with a point value (other than zero) after September 17, 1944. The amount of the adjustment shall be computed in the following way:

(1) The number of pounds of each such item which he estimated that he used during the first quarter of his base period is multiplied by the point value first assigned to that item after September 17, 1944, as shown on the Official Table of Point Values;

(2) The figures are added together and multiplied by 0.5;

(3) The resulting figure is reduced in proportion to the part of the allotment period which has elapsed since January 5, 1945.

(Section 6.6 (d) applies in determining whether an industrial user who receives an allotment under this paragraph is entitled to a check and determining the amount of the check.)

8. Section 6.11 is added to read as follows:

SEC. 6.11 *Industrial users must report their ration bank balances, inventories, and points on hand as of January 1, 1945.* (a) Each industrial user must file with the board (or district office) with which he is registered, a signed report showing separately, as of the close of business on December 31, 1944:

(1) His name and address;

(2) The point value of his inventory of processed foods;

(3) The balance, less outstanding checks, in his ration bank account;

(4) The number of points he has on hand;

(5) The number of points he has sent to his suppliers and for which he has not yet received processed foods;

(6) The point value of any processed foods reported in (2) for which he has not yet given up points to his suppliers;

(7) Any advance of processed foods or points he has which he obtained under General Ration Order 11; and

(8) Points received under his allotment for the first allotment period of 1945 or any processed foods acquired with such points.

(b) If he has only one industrial user establishment, or more than one such establishment registered separately, the report must be filed not later than January 7, 1945. If he has more than one establishment registered together, the report must be filed not later than January 14, 1945.

(c) No industrial user may get an allotment after January 7, 1945, or January 14, 1945, as the case may be, unless he has made the report required by this section to the board (or district office) with which he is registered.

9. Section 6.13 is added to read as follows:

SEC. 6.13 *Restrictions on acquisition and use of processed foods by industrial*

*Copies may be obtained from the Office of Price Administration.

¹9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3073, 3513, 3579, 3708, 3810, 3944, 3947, 4026, 4351, 4475, 4604, 4818, 4876, 5074, 5436, 5695, 5829, 6234, 6235, 6647, 6951, 7080, 7081, 7202, 7257, 7345, 7437, 7773, 8793, 9169, 9954.

users during the first allotment period of 1945. (a) An industrial user may not acquire or use more processed foods during the first allotment period of 1945 than the total of the following:

(1) The amount of his allotment for the first allotment period of 1945; and

(2) Any unused advance of points or processed foods obtained before January 1, 1945 under General Ration Order 11.

(b) An industrial user may not acquire any processed foods during the first allotment period of 1945 if he had on hand on January 1, 1945, an amount equal to or greater than the total amount described in paragraph (a). An industrial user also may not acquire processed foods during that period if such acquisition would bring the total of the processed foods he had on hand on January 1, 1945, plus the amount of processed foods he has acquired during the first allotment period, above the total amount described in paragraph (a).

(c) The prohibitions against the acquisition of processed foods contained in paragraphs (a) and (b) shall not apply after March 15, 1945. (However, he may not use during the first allotment period processed foods in excess of the amount permitted by (a).)

10. Section 8.4 (a) is amended to read as follows:

(a) *Stamps.* A person who has a ration bank account may not deposit stamps later than one month and ten days after the last date on which they were good for use by a consumer. (The periods during which particular stamps are good for use by consumers are fixed in the supplement to this order.) If the last day on which the stamps were good for use by a consumer is not the last day of a calendar month, and the next calendar month has a day which corresponds thereto, then a "month", as used in this paragraph, is the period from the last day on which the stamps were good for use by a consumer to and including the corresponding day of the next calendar month; otherwise it is the period from the last day on which the stamps were good for use by a consumer to and including the last day of the next calendar month.

11. Section 9.4 (e) is amended to read as follows:

(e) *When stamps are good.* Each stamp is good only during a certain period, and may be accepted for a transfer to a consumer only during that period. The combination of letter and number printed on the stamps serves to indicate the time when the stamps may be used by consumers. The periods during which stamps in War Ration Book Four may be accepted from a consumer are fixed by the Office of Price Administration in a supplement to this order.

12. Section 9.4 (g) (1) is amended by adding the following sentence at the end thereof: "Stamps which are received after the last day on which they are good in the hands of the person who sends them may be accepted if the envelope in which they are enclosed is postmarked on or before that date."

13. Section 9.5 (d) (1) is amended by deleting the first sentence (beginning with the words "Stamps may be accepted . . .") and substituting the following therefor: "No stamp may be accepted from the transferee more than one month after the last day on which the stamps were good for use by a consumer. If the last day on which the stamps were good for use by a consumer is not the last day of a calendar month and the next calendar month has a day which corresponds thereto, then a "month", as used in this subparagraph, is the period from the last day on which the stamps were good for use by a consumer to and including the corresponding day of the next calendar month; otherwise it is the period from the last day on which the stamps were good for use by a consumer to and including the last day of the next calendar month."

14. Section 14.9 is added to read as follows:

SEC. 14.9. *Retailers may apply for adjustment if net point inventory is or would be reduced to less than 75 percent of allowable inventory.* (a) *How to apply.* A retailer whose net point inventory has been reduced to less than 75 percent of his allowable inventory (or would be so reduced if he were required to give up points for his remaining excess inventory) and who finds that it will be a hardship for him to operate with the points he has may apply for an adjustment. The application must be made between December 31, 1944 and February 10, 1945, inclusive, on OPA Form R-315, to the board with which he is registered, or to the Washington Office, if he is registered there. The application must give the following information, stated separately:

(1) The point value of his inventory of processed foods and the date on which it was taken. The inventory must be taken at some time from December 31, 1944 to January 27, 1945, inclusive, and the applicant must keep a record, by items, of such inventory. (Section 5.5 (b) of this order describes what must be included in his inventory). In addition, it must show, as of the date on which he took his inventory of foods:

(2) The number of points which he has on hand;

(3) The number of points in his ration bank account, if any, (except those for which ration checks are outstanding);

(4) The number of points which he has already given up for processed foods not yet shipped to him;

(5) The number of points which he has not yet received for processed foods he has already shipped;

(6) The number of points he has received for processed foods which he has not yet shipped;

(7) The number of points he owes for processed foods already shipped to him;

(8) Points owed to the Office of Price Administration for outstanding loans; and

(9) That this adjustment is necessary because it will be a hardship for him to operate with the points he has.

(b) *Action on application.* The board or the Washington Office may grant him

an adjustment if it finds that it will be a hardship for the retailer to operate with the points he has and that his net point inventory (the total of subparagraphs (1) through (5) of paragraph (a), less the total of subparagraph (6) through (8) of paragraph (a)) has been reduced to less than 75 percent of his allowable inventory (or that his net point inventory would be so reduced if he were required to give up points for his remaining excess inventory). The board or Washington Office will issue to him a check equal to the amount by which 75 percent of his allowable inventory exceeds his net point inventory, and will also cancel any remaining excess inventory. If his net point inventory is greater than 75 percent of his allowable inventory, it will cancel that part of his excess inventory, which, if he were required to give up points therefor, would reduce his net point inventory below 75 percent of his allowable inventory.

(c) *General.* Only one application under this section may be made by any retailer. Nothing in this section shall be construed to forgive or excuse any violations by the applicant of this or any other order of the Office of Price Administration, or to affect any action which may be taken by the Office of Price Administration with respect to any such violations.

15. Section 16.8 (a) (16) is added to read as follows:

(16) Retailers who apply for adjustment because net point inventory is reduced to less than 75 percent of allowable inventory must keep a record of inventory. (Section 14.9)

16. The third sentence (beginning with the words "However, in no event . . .") of Section 25.1 (f) is amended to read as follows: "However, in no event may the monthly ration exceed the total number of points validated during that month for use by consumers who have War Ration Books."

17. The second sentence (beginning with the words "If he transfers . . .") of Section 26.3 (b) is amended by substituting the words "section 2.3 of Second Revised Ration Order 3" for "§ 1407.71a of Revised Ration Order 3".

18. The first sentence of section 27.1 (a) (10) is amended by substituting the words "vegetables and purees, and" for the words "vegetables, and".

19. Section 27.1 (a) (10) (iii) is amended to read as follows:

(iii) *Vegetables and purees.*

Asparagus.

Beans, fresh lima.

Beans, green or wax.

Beets.

Carrots.

Corn.

Greens (including only beet, collard, dandelion, kale, mustard, poké, or turnip greens).

Peas, except soaked dry peas.

Pumpkin.

Spinach.

Squash.

Tomatoes (except tomato puree).

Tomato catsup or chili sauce.

Mixed vegetables (include only succotash, carrots and peas, or other mixed vegetables containing over twenty percent by weight of vegetables listed under this subdivision).

FEDERAL REGISTER, Thursday, December 28, 1944

20. Section 27.1 (a) (12) is amended in the following respects:

a. The second sentence (beginning with the words "This does not apply, * *") is deleted.

b. Subsection (1) is amended to read as follows:

(1) A person is considered to "produce" processed foods if he:

(a) Bottles, cans, or packs any of the products, which are included within the definition of processed foods in Section 27.1 (a) (10), in hermetically sealed containers and sterilizes them by the use of heat; or

(b) Packs fruit or vegetable juices (which are included within the definition of processed foods in section 27.1 (a) (10) from containers over one gallon into hermetically sealed containers of one gallon or less and sterilizes them by the use of heat; or

(c) Uses processed foods to produce other processed foods.

c. The text of the undesignated paragraphs beginning with the words "The term 'processor establishment' also means" remains unchanged.

This amendment shall become effective at 12:01 a. m. December 26, 1944.

Notes: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19509; Filed, Dec. 26, 1944; 5:08 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13, Amdt. 41 to 2d Rev. Supp. 11]

PROCESSED FOODS

Second Revised Supplement 1 to Revised Ration Order 13 is amended in the following respects:

1. The Official Table of Point Values (No. 20), referred to in § 1407.1102 (a), is amended by assigning the following point values to the following processed foods:

Canned or bottled vegetables (include purees)	Over 0 inel. 7 oz.	Over 7 oz. inel. 10 oz.	Over 10 oz. inel. 14 oz.	Over 14 oz. inel. 1 lb.	Over 1 lb. inel. 1 lb.	Over 2 lb. inel. 1 lb.	Over 6 oz. inel. 2 lb.	Over 1 lb. inel. 3 lb.	No. 10 size container	Size not listed per pound
Asparagus...	10	10	10	10	10	20	30	60	10	10
Beans, green or wax, Corn, vacuum-packed whole kernel (except vacuum-packed whole kernel)	10	10	10	10	10	20	30	60	10	10
Peas (exclude soaked dried peas)...	10	10	10	10	10	20	30	50	100	20
Spinach.....	10	10	10	10	10	20	30	50	100	20
									10	10

2. Section 1407.1102 (e) is amended to read as follows:

(e) The following are the periods (referred to in section 2.4 (b) and 9.4 (e) of Revised Ration Order 13) during which blue stamps in War Ration Book Four are good for use by consumers:

Stamps and Periods During Which Stamps Are Good for Use by Consumers	From Feb. 27, 1944, to Dec. 25, 1944, inclusive.	From Apr. 1, 1944, to Dec. 25, 1944, inclusive.	From May 1, 1944, to Dec. 25, 1944, inclusive.	From June 1, 1944, to Dec. 25, 1944, inclusive.	From July 1, 1944, to Dec. 25, 1944, inclusive.	From Aug. 1, 1944, to Dec. 25, 1944, inclusive.	From Sept. 1, 1944, to Dec. 25, 1944, inclusive.	From Oct. 1, 1944, to Dec. 25, 1944, inclusive.	From Nov. 1, 1944, to Dec. 25, 1944, inclusive.	From Dec. 1, 1944, to date to be announced by the Office of Price Administration.	From Jan. 1, 1945, to date to be announced by the Office of Price Administration.
(1) AB, BB, C8, D8, E8.....	From Feb. 27, 1944, to Dec. 25, 1944, inclusive.	From Apr. 1, 1944, to Dec. 25, 1944, inclusive.	From May 1, 1944, to Dec. 25, 1944, inclusive.	From June 1, 1944, to Dec. 25, 1944, inclusive.	From July 1, 1944, to Dec. 25, 1944, inclusive.	From Aug. 1, 1944, to Dec. 25, 1944, inclusive.	From Sept. 1, 1944, to Dec. 25, 1944, inclusive.	From Oct. 1, 1944, to Dec. 25, 1944, inclusive.	From Nov. 1, 1944, to Dec. 25, 1944, inclusive.	From Dec. 1, 1944, to date to be announced by the Office of Price Administration.	From Jan. 1, 1945, to date to be announced by the Office of Price Administration.
(2) FB, GB, H8, J8, K8.....	From Feb. 27, 1944, to Dec. 25, 1944, inclusive.	From Apr. 1, 1944, to Dec. 25, 1944, inclusive.	From May 1, 1944, to Dec. 25, 1944, inclusive.	From June 1, 1944, to Dec. 25, 1944, inclusive.	From July 1, 1944, to Dec. 25, 1944, inclusive.	From Aug. 1, 1944, to Dec. 25, 1944, inclusive.	From Sept. 1, 1944, to Dec. 25, 1944, inclusive.	From Oct. 1, 1944, to Dec. 25, 1944, inclusive.	From Nov. 1, 1944, to Dec. 25, 1944, inclusive.	From Dec. 1, 1944, to date to be announced by the Office of Price Administration.	From Jan. 1, 1945, to date to be announced by the Office of Price Administration.
(3) L8, M8, N8, P8, Q8.....	From Feb. 27, 1944, to Dec. 25, 1944, inclusive.	From Apr. 1, 1944, to Dec. 25, 1944, inclusive.	From May 1, 1944, to Dec. 25, 1944, inclusive.	From June 1, 1944, to Dec. 25, 1944, inclusive.	From July 1, 1944, to Dec. 25, 1944, inclusive.	From Aug. 1, 1944, to Dec. 25, 1944, inclusive.	From Sept. 1, 1944, to Dec. 25, 1944, inclusive.	From Oct. 1, 1944, to Dec. 25, 1944, inclusive.	From Nov. 1, 1944, to Dec. 25, 1944, inclusive.	From Dec. 1, 1944, to date to be announced by the Office of Price Administration.	From Jan. 1, 1945, to date to be announced by the Office of Price Administration.
(4) R8, S8, T8, U8, V8.....	From Feb. 27, 1944, to Dec. 25, 1944, inclusive.	From Apr. 1, 1944, to Dec. 25, 1944, inclusive.	From May 1, 1944, to Dec. 25, 1944, inclusive.	From June 1, 1944, to Dec. 25, 1944, inclusive.	From July 1, 1944, to Dec. 25, 1944, inclusive.	From Aug. 1, 1944, to Dec. 25, 1944, inclusive.	From Sept. 1, 1944, to Dec. 25, 1944, inclusive.	From Oct. 1, 1944, to Dec. 25, 1944, inclusive.	From Nov. 1, 1944, to Dec. 25, 1944, inclusive.	From Dec. 1, 1944, to date to be announced by the Office of Price Administration.	From Jan. 1, 1945, to date to be announced by the Office of Price Administration.
(5) W8, X8, Y8, Z8, A8.....	From Feb. 27, 1944, to Dec. 25, 1944, inclusive.	From Apr. 1, 1944, to Dec. 25, 1944, inclusive.	From May 1, 1944, to Dec. 25, 1944, inclusive.	From June 1, 1944, to Dec. 25, 1944, inclusive.	From July 1, 1944, to Dec. 25, 1944, inclusive.	From Aug. 1, 1944, to Dec. 25, 1944, inclusive.	From Sept. 1, 1944, to Dec. 25, 1944, inclusive.	From Oct. 1, 1944, to Dec. 25, 1944, inclusive.	From Nov. 1, 1944, to Dec. 25, 1944, inclusive.	From Dec. 1, 1944, to date to be announced by the Office of Price Administration.	From Jan. 1, 1945, to date to be announced by the Office of Price Administration.
(6) B5, C5, D5, E5, F5.....	From Feb. 27, 1944, to Dec. 25, 1944, inclusive.	From Apr. 1, 1944, to Dec. 25, 1944, inclusive.	From May 1, 1944, to Dec. 25, 1944, inclusive.	From June 1, 1944, to Dec. 25, 1944, inclusive.	From July 1, 1944, to Dec. 25, 1944, inclusive.	From Aug. 1, 1944, to Dec. 25, 1944, inclusive.	From Sept. 1, 1944, to Dec. 25, 1944, inclusive.	From Oct. 1, 1944, to Dec. 25, 1944, inclusive.	From Nov. 1, 1944, to Dec. 25, 1944, inclusive.	From Dec. 1, 1944, to date to be announced by the Office of Price Administration.	From Jan. 1, 1945, to date to be announced by the Office of Price Administration.
(7) G5, H5, J5, K5, L5.....	From Feb. 27, 1944, to Dec. 25, 1944, inclusive.	From Apr. 1, 1944, to Dec. 25, 1944, inclusive.	From May 1, 1944, to Dec. 25, 1944, inclusive.	From June 1, 1944, to Dec. 25, 1944, inclusive.	From July 1, 1944, to Dec. 25, 1944, inclusive.	From Aug. 1, 1944, to Dec. 25, 1944, inclusive.	From Sept. 1, 1944, to Dec. 25, 1944, inclusive.	From Oct. 1, 1944, to Dec. 25, 1944, inclusive.	From Nov. 1, 1944, to Dec. 25, 1944, inclusive.	From Dec. 1, 1944, to date to be announced by the Office of Price Administration.	From Jan. 1, 1945, to date to be announced by the Office of Price Administration.
(8) M5, N5, P5, Q5, R5.....	From Feb. 27, 1944, to Dec. 25, 1944, inclusive.	From Apr. 1, 1944, to Dec. 25, 1944, inclusive.	From May 1, 1944, to Dec. 25, 1944, inclusive.	From June 1, 1944, to Dec. 25, 1944, inclusive.	From July 1, 1944, to Dec. 25, 1944, inclusive.	From Aug. 1, 1944, to Dec. 25, 1944, inclusive.	From Sept. 1, 1944, to Dec. 25, 1944, inclusive.	From Oct. 1, 1944, to Dec. 25, 1944, inclusive.	From Nov. 1, 1944, to Dec. 25, 1944, inclusive.	From Dec. 1, 1944, to date to be announced by the Office of Price Administration.	From Jan. 1, 1945, to date to be announced by the Office of Price Administration.
(9) S5, T5, U5, V5, A2, B2.....	From Feb. 27, 1944, to Dec. 25, 1944, inclusive.	From Apr. 1, 1944, to Dec. 25, 1944, inclusive.	From May 1, 1944, to Dec. 25, 1944, inclusive.	From June 1, 1944, to Dec. 25, 1944, inclusive.	From July 1, 1944, to Dec. 25, 1944, inclusive.	From Aug. 1, 1944, to Dec. 25, 1944, inclusive.	From Sept. 1, 1944, to Dec. 25, 1944, inclusive.	From Oct. 1, 1944, to Dec. 25, 1944, inclusive.	From Nov. 1, 1944, to Dec. 25, 1944, inclusive.	From Dec. 1, 1944, to date to be announced by the Office of Price Administration.	From Jan. 1, 1945, to date to be announced by the Office of Price Administration.
(10) X5, Y5, Z5, A2, B2.....	From Feb. 27, 1944, to Dec. 25, 1944, inclusive.	From Apr. 1, 1944, to Dec. 25, 1944, inclusive.	From May 1, 1944, to Dec. 25, 1944, inclusive.	From June 1, 1944, to Dec. 25, 1944, inclusive.	From July 1, 1944, to Dec. 25, 1944, inclusive.	From Aug. 1, 1944, to Dec. 25, 1944, inclusive.	From Sept. 1, 1944, to Dec. 25, 1944, inclusive.	From Oct. 1, 1944, to Dec. 25, 1944, inclusive.	From Nov. 1, 1944, to Dec. 25, 1944, inclusive.	From Dec. 1, 1944, to date to be announced by the Office of Price Administration.	From Jan. 1, 1945, to date to be announced by the Office of Price Administration.
(11) C2, D2, E2, F2, G2.....	From Feb. 27, 1944, to Dec. 25, 1944, inclusive.	From Apr. 1, 1944, to Dec. 25, 1944, inclusive.	From May 1, 1944, to Dec. 25, 1944, inclusive.	From June 1, 1944, to Dec. 25, 1944, inclusive.	From July 1, 1944, to Dec. 25, 1944, inclusive.	From Aug. 1, 1944, to Dec. 25, 1944, inclusive.	From Sept. 1, 1944, to Dec. 25, 1944, inclusive.	From Oct. 1, 1944, to Dec. 25, 1944, inclusive.	From Nov. 1, 1944, to Dec. 25, 1944, inclusive.	From Dec. 1, 1944, to date to be announced by the Office of Price Administration.	From Jan. 1, 1945, to date to be announced by the Office of Price Administration.

This amendment shall become effective at 12:01 a. m. December 26, 1944.

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19514; Filed, Dec. 26, 1944; 5:08 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16; Amdt. 32]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment will be filed with the Division of the Federal Register.

Revised Ration Order 16 is amended in the following respects:

1. Section 1.1 (a) (1) is amended by deleting the eleventh sentence (beginning with the words "However, meat does include any of the items * * *").

2. Section 2.3 (b) is amended to read as follows:

(b) Stamps may be used only during certain periods. Each stamp in War Ration Book Four is good only during a certain period, and a consumer may use it only during that period. The combination of letter and number printed on the stamps serves to indicate the time when the stamp may be used by consumers. The periods during which stamps in War Ration Book Four may be used will be fixed in a supplement to this order. Transfers of "meat" by farm slaughterers to consumers, covered in section 3.2, are excepted from this rule.)

3. Section 2.3 (e) is amended by inserting the following sentence between the words " * * with his order" and the second sentence (beginning with the words "If the seller * * *":) "The stamps are good if the envelope in which they are enclosed is postmarked on or before the last day on which they may be used by a consumer, even if the seller application if it finds that the industrial user, during the first quarter of his base period, used meat which had a zero point value on December 16, 1944 but which was assigned a point value other than zero after December 16, 1944. The application

*Copies may be obtained from the Office of Price Administration.

¹⁹ F.R. 6731, 7048, 7578, 774, 8182, 8793, 7258, 7262, 7344, 7438, 7571, 7603, 9954, 9955, 10049, 10087, 10390, 10876, 11548, 12036, 12037, 12649, 12971.

amount of the adjustment shall be computed in the following way:

(1) The number of pounds of each such item of meat which he used during the first quarter of his base period is multiplied by the point value first assigned to that item after December 16, 1944, as shown on the Official Tables of Point Values;

(2) The figures are added together and multiplied by 0.7;

(3) The resulting figure is reduced in proportion to the part of the allotment period which has elapsed since January 5, 1945.

(Section 7.6 (d) applies in determining whether an industrial user who receives an adjustment under this paragraph is entitled to a check, and in determining the amount of the check.)

7. Section 7.13 (a) (4) is amended to read as follows:

(4) An industrial user may get a provisional allowance to enable him to acquire foods covered by this order to manufacture canned or bottled soups which were rationed under Revised Ration Order 13 on September 16, 1944.

8. Section 7.14 is added to read as follows:

SEC. 7.14 Industrial users must report their ration bank balances, inventories, and points on hand as of January 1, 1945. (a) Each industrial user must file with the board (or district office) with which he is registered a signed report showing separately, as of the close of business on December 31, 1944:

(1) His name and address;

(2) The point value of his inventory of foods covered by this order;

(3) The balance, less outstanding checks, in his ration bank account;

(4) The number of points he has on hand;

(5) The number of points he has sent to his suppliers and for which he has not yet received foods;

(6) The point value of any foods reported in (2) for which he has not yet given up points to his suppliers;

(7) Foods covered by this order or points he has which he obtained as a provisional allowance;

(8) Any advance of foods covered by this order or points he has which he obtained under General Ration Order 11;

(9) Points received under his allotment for the first allotment period of 1945 or any foods acquired with such points.

(b) If he has only one industrial user establishment, or more than one such establishment registered separately, the report must be filed not later than January 7, 1945. If he has more than one establishment registered together, the report must be filed not later than January 14, 1945.

(c) No industrial user may get an allotment after January 7, 1945 or January 14, 1945, as the case may be, unless he has made the report required by this section to the board (or district office) with which he is registered.

9. Section 7.16 is added to read as follows:

SEC. 7.16 Restrictions on acquisition and use of foods by industrial users during the first allotment period of 1945. (a) An industrial user may not acquire or use more foods covered by this order during the first allotment period of 1945 than the total of the following:

(1) The amount of his allotment for the first allotment period of 1945;

(2) The foods he may use during the first period to make products for which he has obtained a provisional allowance under section 7.13 of this order; and

(3) Any unused advance of points or foods obtained before January 1, 1945 under General Ration Order 11.

(b) An industrial user may not acquire any foods covered by this order during the first allotment period of 1945 if he had on hand on January 1, 1945 an amount equal to or greater than the total amount described in paragraph (a). An industrial user also may not acquire foods covered by this order during that period if such acquisition would bring the total of the foods covered by this order he had on hand on January 1, 1945, plus the amount of such foods he has acquired during the first allotment period, above the total amount described in paragraph (a).

(c) The prohibitions against the acquisition of foods covered by this order contained in paragraphs (a) and (b) shall not apply after March 15, 1945. (However, he may not use during the first allotment period foods covered by this order in excess of the amount permitted by (a).)

10. Section 9.4 (a) is amended to read as follows:

(a) *Stamps.* A person who has a ration bank account may not deposit stamps later than one month and ten days after the last date on which they were good for use by a consumer. (The periods during which particular stamps are good for use by consumers are fixed in the supplement to this order.) If the last day on which the stamps were good for use by a consumer is not the last day of a calendar month, and the next calendar month has a day which corresponds thereto, then a "month", as used in this paragraph, is the period from the last day on which the stamps were good for use by a consumer to and including the corresponding day of the next calendar month; otherwise it is the period from the last day on which the stamps were good for use by a consumer to and including the last day of the next calendar month.

11. Section 10.4 (g) is amended to read as follows:

(g) *When stamps are good.* Each stamp is good only during a certain period, and may be accepted for a transfer to a consumer only during that period. The combination of letter and the number printed on the stamps serves to indicate the time when the stamps may be used by consumers. The periods during which stamps in War Ration Book Four may be accepted from a consumer are fixed by the Office of Price Administration in a supplement to this order. (Transfers of "meat" by farm slaughter-

ers to consumers, covered in section 3.2, are excepted from this rule.)

12. Section 10.4 (i) (1) is amended by adding the following sentence at the end thereof: "Stamps which are received after the last day on which they are good in the hands of the person who sends them may be accepted if the envelope in which they are enclosed is postmarked on or before that date."

13. Section 10.5 (e) (1) is amended by deleting the first sentence (beginning with the words "Stamps may be accepted . . .") and substituting the following therefor: "No stamp may be accepted from the transferee more than one month after the last day on which the stamps were good for use by a consumer. If the last day on which the stamps were good for use by a consumer is not the last day of a calendar month and the next calendar month has a day which corresponds thereto, then a 'month', as used in this subparagraph, is the period from the last day on which the stamps were good for use by a consumer to and including the corresponding day of the next calendar month; otherwise it is the period from the last day on which the stamps were good for use by a consumer to and including the last day of the next calendar month."

14. Section 15.11 is added to read as follows:

SEC. 15.11 Retailers and wholesalers may apply for adjustment needed because of restoration of point values on meat items—(a) How to apply. A retailer or wholesaler who finds that it will be a hardship for him to operate with the points he has because of the restoration of point values on December 31, 1944 on certain meat items and whose net point inventory has been reduced to less than 75 percent of his allowable inventory (or would be so reduced if he were required to give up points for his remaining excess inventory), may apply for an adjustment. The application must be made between December 31, 1944 and February 10, 1945 inclusive, on OPA Form R-315, to the board with which he is registered. The application must give the following information, stated separately:

(1) The point value of his inventory of foods covered by this order (other than butter or canned fish acquired with loans from the Washington Office) and the date on which it was taken. The inventory must be taken at some time from December 31, 1944 to January 27, 1945, inclusive, and the applicant must keep a record, by items, of such inventory. (Sections 5.4 (b) and 6.4 (b) of this order describe what must be included in his inventory);

(2) If the point value of butter or canned fish he has is included in his reported inventory (subparagraph (1)), a statement that that inventory does not include any butter or canned fish acquired with loans from the Washington Office.

In addition, it must show, as of the date on which he took the inventory of foods:

(3) The number of points which he has on hand;

(4) The number of points in his ration bank account, if any, (except those for which ration checks are outstanding);

(5) The number of points which he has already given up for foods not yet shipped to him;

(6) The number of points which he has not yet received for foods he has already shipped;

(7) The number of points owed to the Washington Office for outstanding loans;

(8) The number of points he has received for foods which he has not yet shipped;

(9) The number of points he owes for foods already shipped to him; and

(10) That it will be a hardship for him to operate with the points he has because of the restoration of point values on December 31, 1944 on certain meat items.

(b) *Action on application.* The board may grant him an adjustment if it finds that it will be a hardship for the retailer or wholesaler to operate with the points he has because of the restoration of point values on December 31, 1944 on certain meat items and that his net point inventory (the total of subparagraphs (1), (3), (4), (5) and (6) of paragraph (a), less the total of subparagraphs (7), (8) and (9) of paragraph (a)) has been reduced to less than 75 percent of his allowable inventory (or that his net point inventory would be so reduced if he were required to give up points for his remaining excess inventory). The board will issue to him a check equal to the amount by which 75 percent of his allowable inventory exceeds his net point inventory, and will also cancel any remaining excess inventory. If his net point inventory is greater than 75 percent of his allowable inventory, it will cancel that part of his excess inventory, which, if he were required to give up points therefor, would reduce his net point inventory below 75 percent of his allowable inventory.

(c) *General.* Only one application under this section may be made by any retailer or wholesaler. Nothing in this section shall be considered to forgive or excuse any violations by the applicant of this or any other order of the Office of Price Administration, or to effect any action which may be taken by the Office of Price Administration with respect to any such violations.

15. Section 17.7 (a) (16) is added to read as follows:

(16) Retailers or wholesalers who apply for certain adjustment must keep a record of inventory. (Section 15.11.)

16. Section 22.10 is added to read as follows:

SEC. 22.10 *Acquisition of meat for guide dogs.* (a) Any blind person, who has a seeing-eye dog or other dog which has been specially trained to guide blind persons, may, if he needs meat for it, apply for a ration for that purpose. The application must be made on OPA Form R-315, by the person or by someone acting for him and may be made in person or by mail. Each application made by

or for the person must be for a period not to exceed three months. The applicant must state:

(1) That he requires the assistance of and has a seeing-eye dog or other dog which has been specially trained to guide blind persons;

(2) That the dog has been fed a diet composed entirely or in substantial part of meat;

(3) That the applicant has not been able to obtain horsemeat as a substitute for the meat in that diet;

(4) That if the diet of the dog does not include meat, its efficiency as a guide dog will be materially impaired during the period required to adjust it to a meatless diet; and

(5) The amount of meat per week required by the dog and the length of time such ration will be required.

The application may be made only to the board for the place where the applicant lives. If the first application is not made in person it must be accompanied by a certificate from a state board or commission for the blind (or similar agency) showing that the dog has been specially trained as a guide dog, or by such other proof as the board may require.

(b) If the board finds that all the requirements of the previous paragraph are satisfied, it may issue to the applicant one or more checks covering the needs of the dog, but in an amount not to exceed twelve points per week and for a period not to exceed three months.

17. The third sentence beginning with the words "However, in no event" of section 25.1 (f) is amended to read as follows: "However, in no event may the monthly ration exceed the total number of points validated during that month for use by consumers who have War Ration Books."

18. The definition of "meat" in section 27.1 (a) is amended by deleting the

fourth sentence (beginning with the words "However, meat does include any of the items") of the third undesignated paragraph (beginning with the words "Neither does meat include cracklings").

This amendment shall become effective at 12:01 a. m. December 26, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19508; Filed, Dec. 26, 1944;
5:05 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 23 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Second Revised Supplement 1 to Revised Ration Order 16 is amended in the following respects:

1. The Official Table of Consumer Point Values (No. 20), referred to in § 1407.3027 (a), is amended by increasing the point value of "creamery butter" to 24 points per pound.

2. "Section C—Fats, Oils, and Dairy Products" of the Official Table of Trade Point Values (No. 20), referred to in § 1407.3027 (a), is amended by increasing the point value of "creamery butter" to 23.5 points per pound.

3. Section 1407.3027 (e) is amended to read as follows:

(e) The following are the periods (referred to in sections 2.3 (b) and 10.4 (g) of Revised Ration Order 16) during which red stamps in War Ration Book Four are good for use by consumers.

Stamps and Periods During Which Stamps Are Good for Use by Consumers

(1) A8, B8, C8	From Feb. 27, 1944, to Dec. 25, 1944, inclusive.
(2) D8, E8, F8	From Mar. 12, 1944, to Dec. 25, 1944, inclusive.
(3) G8, H8, J8	From Mar. 26, 1944, to Dec. 25, 1944, inclusive.
(4) K8, L8, M8	From Apr. 9, 1944, to Dec. 25, 1944, inclusive.
(5) N8, P8, Q8	From Apr. 23, 1944, to Dec. 25, 1944, inclusive.
(6) R8, S8, T8	From May 7, 1944, to Dec. 25, 1944, inclusive.
(7) U8, V8, W8	From June 4, 1944, to Dec. 25, 1944, inclusive.
(8) X8, Y8, Z8	From July 2, 1944, to Dec. 25, 1944, inclusive.
(9) A5, B5, C5	From July 30, 1944, to Dec. 25, 1944, inclusive.
(10) D5	From Aug. 13, 1944, to Dec. 25, 1944, inclusive.
(11) E5, F5, G5	From Sept. 3, 1944, to Dec. 25, 1944, inclusive.
(12) H5, J5, K5	From Oct. 1, 1944, to Dec. 25, 1944, inclusive.
(13) L5, M5, N5, P5	From Oct. 29, 1944, to Dec. 25, 1944, inclusive.
(14) Q5, R5, S5	From Dec. 3, 1944, to date to be announced by the Office of Price Administration.
(15) T5, U5, V5, W5, X5	From Dec. 31, 1944, to date to be announced by the Office of Price Administration.

This amendment shall become effective at 12:01 a. m. December 26, 1944.

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19512; Filed, Dec. 26, 1944; 5:07 p. m.]

*9 F.R. 6772, 6825, 7262, 7438, 8147, 8931, 9266, 9278, 9785, 9896, 10425, 10875, 10876, 10777, 11426, 11513, 11906, 11955, 11961, 12814, 12867.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,¹ Amdt. 40]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5737 (a) (1) is amended by substituting for the last sentence of the subparagraph the following: "He shall give the information required by the form as of 12:01 a. m., of any date during the period October 1, 1944 through December 16, 1944 at his option."

2. Section 1394.5737 (c) is added as follows:

(c) (1) A dealer referred to in paragraph (a) of this section who has a ration bank account serving two or more of his registered dealer establishments and who claims that the preparation of a complete separate report for each establishment served by that bank account will impose upon him an undue clerical burden, may, with respect to the report due by December 31, 1944, apply to the District Director (specified in the next subparagraph) for permission to submit, instead, a consolidated statement, on OPA Form R-1198, for all his registered dealer establishments (regardless of their storage capacity) which are served by that ration bank account.

(2) The application must be made to the District Director having jurisdiction of the area in which is located the dealer's central office where he keeps the accounting records for the establishments served by the one ration bank account. It must be submitted not later than December 31, 1944, and must set forth the facts supporting the dealer's claim that the preparation of a complete separate report for each establishment served by the one ration bank account will impose upon him an undue clerical burden.

(3) If the District Director is satisfied from the application that the preparation of a complete separate report for each establishment served by the one ration bank account will impose upon the dealer an undue clerical burden, he shall grant the application; otherwise he shall deny it. He shall promptly notify the applicant of his decision.

(4) If the application is granted, the dealer must, within 10 days from the date of the District Director's letter containing his decision, submit to that District Director a consolidated statement, on OPA Form R-1198 (giving all the information required by the form) for all his registered dealer establishments (regardless of their registered storage capacity) which are served by the one ration bank account. He must indicate on the

form that it is a consolidated statement. The consolidated statement must be supported by a separate report on OPA Form R-1198 for each establishment included in the consolidated statement, except that the information required by Items 3, 4, 5 and 6 need not be furnished on the supporting reports. The consolidated statement must be prepared as of 12:01 a. m. of any date during the period October 1, 1944 through December 16, 1944, at the dealer's option.

(5) In the event that the dealer has, for the establishments included in the consolidated statement, ration evidences or ration credits in excess of the amount he may properly have, under this order, on the date as of which the statement is prepared (treating, for the purpose of this paragraph (c) only, all the establishments in the consolidated statement as though they were included in one registration certificate), he shall surrender with the statement evidences equal in gallonage value to such excess, together with a statement explaining the manner in which the excess occurred.

(6) The inclusion of any establishment in the consolidated statement, referred to in paragraph (c) (4), shall be deemed to be a compliance only as to the first statement (and the surrender of excess evidence and explanation of the excess with that statement) required for such establishment by any order made on or before December 31, 1944 by a District Director pursuant to paragraph (b) of this section.

(7) If the application (made pursuant to paragraph (c) (2) of this section) is denied by the District Director, the dealer must, within 15 days from the date of the District Director's letter containing his decision, submit a separate statement (and excess evidence, if any, and statement explaining the excess) for each of his registered dealer establishments as required by paragraph (a) (1) of this section.

(8) If a dealer referred to in paragraph (c) (1) of this section files an application in accordance with paragraph (c) (2), he shall not be deemed to have violated paragraph (a) of this section as to the reports due by December 31, 1944 for the establishments included in the application: *Provided*, That he complies with the provisions of paragraph (c) (4) and (5) (if his application is granted) or paragraph (c) (7) (if his application is denied).

(9) Nothing contained in this section and no act performed in accordance therewith shall constitute a waiver of any of the other provisions or requirements of this order.

This amendment shall become effective on December 26, 1944.

NOTE: All reporting and record-keeping requirements of this revised ration order have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

F. R. Doc. 44-19522; Filed, Dec. 26, 1944;
5:00 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 502,¹ Amdt. 2]

POPCORN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 502 is amended in the following respects:

1. Section 1 is amended by deleting the words "unprocessed shelled popcorn" and substituting the words "shelled popcorn, not fully processed."

2. Section 3 is amended to read as follows:

SEC. 3. Maximum prices for shelled popcorn, not fully processed. The maximum price, per 100 pounds net weight, on sales by any person of any variety of shelled popcorn, not fully processed, shall be \$5.00, f. o. b. shipping point.

3. Section 4 (a) (1) is amended to read as follows:

(1) Sales other than from warehouses. Processors' maximum prices for processed shelled popcorn in bulk, f. o. b. shipping point, on all sales other than those from warehouses covered in paragraph (2) below, shall be as follows:

(i) To retailers or manufacturing dealers in quantities of 500 pounds or less:

Per 100 pounds net weight	
White hulless.....	\$9.85
Other than white hulless.....	9.25

(ii) To all other buyers:

Per 100 pounds net weight	
White hulless.....	\$9.35
Other than white hulless.....	8.75

4. Section 4 (a) (2) is amended to read as follows:

(2) Sales from warehouses. Processors' maximum prices, for processed shelled popcorn in bulk, on sales from a warehouse located as specified below delivered direct to a retailer or manufacturing retailer of popcorn products shall be as follows:

Per 100 pounds net weight	
White hulless.....	\$10.25 (plus actual charges incurred for transportation from processor's plant to warehouse).

Other than white hulless.....	9.85 (plus actual charges incurred for transportation from processor's plant to warehouse).
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(These prices include all costs for delivery to the purchaser's customary receiving point.)

The processor may charge the prices in section 4 (a) (2) only on sales in bulk of processed shelled popcorn actually warehoused by him in a locality more than 100 miles from his processing plant and only if such processor, prior to December 24, 1943, maintained supplies of popcorn in a warehouse in that locality.

*Copies may be obtained from the Office of Price Administration.

¹9 F.R. 2357, 3353, 4409, 4391, 4874, 5165, 5219, 5253, 5502, 5926, 6030, 5804, 6360, 7169, 7201, 7708, 7773, 8988, 9405, 9835, 9620, 9901, 10049, 9 F.R. 9901, 10644, 11178, 11542, 11712, 12270, 13204, 13205, 13209, 13991, 14061, 14107, 14107, 14299, 14300, 14341.

and made sales from it direct to retailers or to manufacturing retailers of popcorn products.

5. Section 4 (c) is amended to read as follows:

(c) *Meaning of processor.* A processor is any person who now operates and was operating before December 24, 1943 an established popcorn processing plant equipped with specialized popcorn processing machinery and who regularly performs all the functions usually performed in producing processed shelled popcorn as defined in section 4 (g) of this regulation.

6. Section 4 (d) is amended to read as follows:

(d) *Meaning of "in bulk" and "packaged popcorn".* "In bulk" means packed in a sack or bag larger in capacity than 3 pounds. "Packaged popcorn" means popcorn packed in a sealed folding carton or fibre can or cannister not exceeding 3 pounds in weight which shall be packed in a fibre shipping container.

7. Section 4 (g) is amended to read as follows:

(g) *Processed shelled popcorn.* "Processed shelled popcorn" is shelled popcorn that has been fully cured, cleaned, screened, graded and tested by a processor as defined in section 4 (c) above so that it is of not more than 14% moisture content and is in prime popping condition. The maximum prices for any shelled popcorn which does not conform with the requirements of this definition shall be the same as those set out in section 3 above.

8. Section 6 is amended to read as follows:

SEC. 6. *Maximum prices which distributors other than wholesalers and retailers may charge for processed shelled popcorn—(a) Wagon wholesalers.* A "wagon wholesaler" is one who purchases the item to be priced for resale, stores it in his warehouse and distributes it, from an inventory stocked in trucks or other conveyances under the supervision of a driver salesman who makes delivery at the time and place of sale to retailers or to commercial, industrial or institutional users. Such wholesaler is a wagon wholesaler only for sales made in the above manner.

(i) The maximum price which a wagon wholesaler may charge for an item of processed shelled popcorn shall be his net delivered cost plus a markup of 25% of that cost.

(ii) "Net delivered cost" means the amount the wagon wholesaler pays for the item delivered to his customary receiving point (but not in excess of the maximum price of the processor, plus cost of transportation to the wagon wholesaler's customary receiving point if purchased on f. o. b. shipping point basis) less all discounts allowed him, except the discount for prompt payment. No expense of local hauling or trucking shall be included.

(b) *Trucker-merchants.* A "trucker-merchant" is any person who purchases popcorn for resale and without loading it into a barge or railroad car or un-

loading it into an elevator or warehouse for his own account and use, transports and delivers the popcorn to his customer in a truck or wagon, wholly-owned or leased and operated by him.

(i) The maximum price for the sale of any item of popcorn by a trucker-merchant is his supplier's maximum price for the same item on the sale and delivery to the trucker-merchant plus a hauling allowance from the point where the trucker-merchant received delivery from his supplier to the point of delivery to his customer.

The hauling allowance shall not exceed 5¢ per 100 pounds for the first 5 miles or fraction thereof and 1¢ per 100 pounds for each succeeding 5 miles or fraction thereof. In any event, the hauling allowance is not to exceed a maximum of 50¢ per 100 pounds.

Every trucker-merchant, shall, with respect to every lot of popcorn transported by him as such, procure and prepare a statement of information which shall accompany the popcorn while in transit. Such statement shall set forth the name and address of the trucker-merchant and his supplier, the date of purchase, the variety and whether unshelled, shelled but not fully processed, or processed shelled popcorn, and the purchase price of the popcorn. Upon delivery of the popcorn by the trucker-merchant to his customer, a copy of the statement of information, signed by the trucker-merchant, shall be given to his customer showing also the transportation charge being made. Copies of this statement shall be retained by the trucker-merchant and by his customer as a part of their records for such time as the Emergency Price Control Act, as amended, remains in effect.

(c) *Distributors who are not wagon wholesalers, trucker-merchants, wholesalers or retailers.* The maximum price for an item of processed shelled popcorn, f. o. b. shipping point, of a distributor who is not a wagon wholesaler, trucker-merchant, wholesaler or retailer shall be the maximum price of his supplier, f. o. b. shipping point, plus incoming freight paid by him.

A "distributor" is one who purchases all he sells (for his own account) of the variety of processed shelled popcorn being priced and resells it without packing or processing any part of it.

9. Section 7 is amended to read as follows:

SEC. 7. *Payment of brokers and field agents.* (a) In accordance with existing trade customs, the broker taking part in a sale shall be considered as the agent of the seller and not the agent of the buyer. In any case, the amount paid by the buyer to the broker plus the amount paid by the buyer to the seller shall not exceed the seller's maximum price plus allowable transportation actually paid by the seller or by the broker. The term "broker" does not include a field agent.

(b) Any field agent or field representative performing the functions of contracting popcorn acreage and servicing, buying, receiving and shipping the unshelled or shelled popcorn for the account of a processor will be considered

the agent of the processor. The maximum price which may be paid to a field agent for such services shall not exceed 25¢ for each 100 pounds of unshelled or shelled popcorn delivered.

10. The headnote, introductory text and subparagraph (1) of section 14 (a) are amended to read as follows:

SEC. 14. *Records and documents.* (a) Every processor who makes sales and every purchaser of any items covered by this regulation shall:

(1) Keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of such sales and purchases, including the date thereof, the name and address of the seller and purchaser, price paid or received, buyer's receiving point and the quantity of popcorn sold or purchased, except that processors and sellers and the purchasers in quantities of 500 pounds or less shall keep only such records in respect to such sales and purchases as they customarily kept as of the effective date of this regulation.

11. Section 16 (d) is amended to read as follows:

(d) *Licensing.* The provisions of Licensing Order 1, licensing persons who make sales under price control, apply to sellers subject to this regulation but no such license is required of or granted to a farmer as a condition of selling an agricultural commodity produced by him. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sales for which his license has been suspended.

12. Section 19 is added to read as follows:

SEC. 19. *Transfer of processing plant and equipment.* If a processor subject to this regulation sells or otherwise transfers the title to his popcorn processing plant and equipment after December 24, 1943 and the transferee regularly carries on the business of processing popcorn, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place and his obligation to keep records sufficient to verify such prices shall be the same and the transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer, which are necessary to enable the transferee to comply with the records provisions of this regulation.

This amendment shall become effective December 28, 1944.

NOTE: All reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1943.

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19515; Filed, Dec. 26, 1944;
5:08 p. m.]

PART 1340—FUEL
[RMPR 436, Amdt. 9]CRUDE PETROLEUM, AND NATURAL AND
PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 436 is amended in the following respect:

1. Section 10 (n) (14) is added to read as follows:

(14) *Old Ocean Field.* On and after January 1, 1945, the maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Old Ocean Field, Brazoria and Matagorda Counties, Texas, shall be \$1.48 with a two-cent differential for each degree of gravity down to 20° API. For gravities below 20° API the maximum price at the receiving tank shall be \$1.06.

This amendment shall become effective January 1, 1945.

Issued this 27th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19577; Filed, Dec. 27, 1944;
11:36 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR
VEHICLE EQUIPMENT

[RMPR 341, Amdt. 6]

MAXIMUM PRICES FOR USED COMMERCIAL
MOTOR VEHICLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 341 is amended in the following respects:

1. The undesigned paragraph immediately preceding the schedule of percentages in section 7 (a) is amended to read as follows:

For a used vehicle or used chassis, the percentage to be used during the calendar year 1945 in multiplying the "base price" to obtain the maximum price shall not exceed the percentage stated in the following schedule which is applicable to the model year of the vehicle as determined by the manufacturer and the condition in which the vehicle is sold ("as is" or "warranted").

2. Section 7 (b) is amended to read as follows:

(b) *For a body of a used vehicle.* For a body of a used vehicle, the percentage to be used during the calendar year 1945 in multiplying the "base price" to obtain the maximum price shall not exceed the percentage listed in the schedule in para-

graph (a) which is applicable to the model year and the condition in which the body is sold ("as is" or "warranted"). The model year is the year of the original manufacture of the body or the model year 1934.

This amendment shall become effective January 1, 1945.

Issued this 27th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19579; Filed, Dec. 27, 1944;
11:36 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR
VEHICLE EQUIPMENT

[MPR 540, Amdt. 4]

MAXIMUM PRICES FOR USED PASSENGER
AUTOMOBILES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 540 is amended in the following respects:

1. The phrase in section 3 (a) which reads "except as provided in paragraph (b)" is amended to read "except as provided in paragraphs (b) and (c)."

2. A new paragraph (c) is added to section 3 to read as follows:

(c) *Foreign used cars.* Used cars manufactured new in any foreign country, except Canada and Mexico, are exempted from price control.

3. Section 5 is amended to read as follows:

SEC. 5. *Maximum prices for used cars—*
(a) *For sales prior to July 1, 1945.* To figure the maximum price of a used car sold and delivered prior to July 1, 1945, the seller must:

(1) Find the base price according to section 6; and

(2) Add to it the allowance in Appendix D for any piece of equipment listed there which is sold attached to the car; and

(3) If the car is sold as a warranted used car (as defined in section 7) and the sale is by a dealer to a person not generally engaged in the business of selling used cars, add \$100, or if it is higher, add 25% of the total of the base price and the equipment allowance. If the amount to be added is in cents (that is a certain number of dollars and cents) the amount shall be evened to the nearest dollar.

(b) *For sales on and after July 1, 1945.* For any car sold on and after July 1, 1945, the seller must figure the maximum price as in paragraph (a), except that he must reduce such price by 4% for each half year after July 1, 1945, including the half year containing the date of sale.

4. A new section 6b is added to read as follows:

SEC. 6b. *Maximum prices of used cars
which cannot be priced under section 5*

*9 F.R. 12679.

or 6a. The maximum price for a used car which cannot be priced under section 5 or 6a shall be a price in line with the level of maximum prices established by this regulation, specifically authorized by the National Office of the Office of Price Administration, Washington, D. C. Any seller seeking such an authorization shall file an application with the National Office of the Office of Price Administration, Washington, D. C. If the seller who cannot establish a price under section 5 or 6a does not file an application under this section, the Office of Price Administration may establish a maximum price of its own accord. This price shall be in line with the level of maximum prices established by this regulation. Authorization of prices under this paragraph shall be by order.

This amendment shall become effective January 1, 1945.

Issued this 27th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19578; Filed, Dec. 27, 1944;
11:36 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31, Corr.
to Amdt. 26]

DESIGNATION OF 45 DEFENSE-RENTAL AREAS
AND RENT DECLARATION RELATING TO SUCH
AREAS

Items 7 and 126 in § 1388.1341 of Amendment 26 to Designation and Rent Declaration 31 are corrected in the following respects:

1. The last three words in the third column of Item 7 are corrected to read "Thomas, and Ware."

2. The first column in Item 126 is corrected to read "Lamar County."

Issued and effective this 27th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19582; Filed, Dec. 27, 1944;
11:37 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, Correction]

HOTELS AND ROOMING HOUSES

Schedule A in the Rent Regulation for Hotels and Rooming Houses is corrected in the following respects:

1. In Item 123 (a), the date in the fourth column, entitled "Maximum rent date" is corrected to read October 1, 1943.

2. In Item 167 (b), the third column, entitled "County or counties in defense-rental area under rent regulation for housing" should be corrected to read La-

mar County.

3. In Item 241 (a), the first column, entitled "Name of defense-rental area" should be corrected to read Gainesville.

*9 F.R. 5923, 5915, 7329, 7431, 9265, 9513.

*9 F.R. 11322, 11540, 11610, 11787, 12414,
12866, 12967.

*Copies may be obtained from the Office of Price Administration.

*8 F.R. 11176, 17033, 17414; 9 F.R. 3847, 4396,
7603, 10641.

Issued and effective this 27th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19584; Filed, Dec. 27, 1944;
11:38 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing, Correction]

HOUSING

Schedule A in the Rent Regulation for Housing is corrected in the following respects:

1. In Item 123 (a), the date in the fourth column, entitled "Maximum rent date" is corrected to read October 1, 1943.

2. In Item 167 (b), the third column, entitled "County or counties in defense-rental area under rent regulation for housing" should be corrected to read Lamar County.

3. In Item 241 (a), the first column, entitled "Defense-rental area" should be corrected to read Washington Court House.

Valid periods	Stamp valid during period	Weight value of stamp
Dec. 16, 1944 to Jan. 15, 1945	Book No. 1, Stamp No. 25.....	2 pounds of Laundry Soap.
Jan. 16, 1945 to Feb. 15, 1945	Book No. 1, Stamp No. 26.....	2 pounds of Laundry Soap.
Feb. 16, 1945 to Mar. 15, 1945	Book No. 1, Stamp No. 27.....	2 pounds of Laundry Soap.

2. Section 8.3 (a) is amended to read as follows:

(a) "Laundry soap" means any bar soap transferred for laundry use, including but not limited to white, yellow or yellow and blue bar laundry soap.

This amendment shall become effective as of December 16, 1944.

Issued this 27th day of December 1944.

JACOB A. ROBLES,
Territorial Director,
Virgin Islands.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-19576; Filed, Dec. 27, 1944;
11:36 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 89]

COOKING OUTFIT STOVES

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 1 is amended in the following respect:

A new paragraph (o) is added to section 4.3 to read as follows:

(o) Stove for Outfit, cooking, small detachment (Stock No. 64-0-270) as

*Copies may be obtained from the Office of Price Administration.

¹ F.R. 11385, 11541, 11610, 11797, 12414, 12866, 12967.

² F.R. 14229.

4. In Item 317, the first column, entitled "Name of defense-rental area" should be corrected to read Gainesville.

Issued and effective this 27th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19583; Filed, Dec. 27, 1944;
11:37 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RO 20,² Amdt. 1]

LAUNDRY SOAP RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 20 is amended in the following respects:

1. The table in section 6.2 is amended to read as follows:

manufactured by the Chrysler Corporation for the Quartermaster Corps.

This amendment shall become effective on the 1st day of January 1945.

Issued this 27th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19580; Filed, Dec. 27, 1944;
11:37 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Supp. Service Reg. 44]

MAXIMUM PRICES IN THE APPAREL SERVICES TRADES FOR NEW SERVICES AND FOR NEW PURCHASERS

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 44 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 44 is hereby issued.

Sec.

1. Services covered.
2. Purpose of this regulation.
3. Services first supplied after December 31, 1944.
4. New purchasers.
5. Additional pricing provisions.
6. Failure to file and defective filings.
7. Geographical applicability.
8. Delegation of authority.

AUTHORITY: Secs. 1 to 8, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. Services covered. This regulation applies to laundry (including linen supply) and dry cleaning services.

SEC. 2. Purpose of this regulation. This regulation does not change any of your maximum prices which were properly determined prior to January 1, 1945 but provides for the determining of maximum prices for services for which a maximum price is first to be established after December 31, 1944. To this extent, it supersedes section 4 (c) (competitive pricing) and section 5 of Revised Maximum Price Regulation No. 165. Therefore, if you first begin to supply a new service, or acquire a new purchaser, or open a new establishment after December 31, 1944, your maximum price must be established under this regulation.

This regulation also supersedes section 15 (c) of RMPR 165 and permits OPA to fix new maximum prices for all of your services if you failed to file or filed incorrectly.

SEC. 3. Services first supplied after December 31, 1944. You must apply to the appropriate District Office of OPA for establishment of a maximum price for any new service first supplied by you after December 31, 1944. OPA will establish a price for the service in conformity with the following standards:

(a) The maximum price shall not be higher than the lowest price at which the same or a fairly equivalent service is supplied to the same purchaser class in the same trading area by other suppliers, or if the same or a fairly equivalent service is not supplied in the same trading area, then in a closely comparable trading area.

(b) An application for a price on a proposed new service will be denied if the distinguishing feature of the new service is the addition of a new feature to an old service, or better performance of that service, or an improvement or voluntary change in the method of processing that service.

Your application for the establishment of a price under the section should contain your name and address, a complete description of the new service, including the manner in which it differs from the services which you have been supplying, if any, and information as to the prices at which the same or a fairly equivalent service is offered by other suppliers.

SEC. 4. New purchasers. (a) If in March 1942, you had an established practice of charging the same price in your linen supply and commercial laundry services to certain customers on the basis of standards such as, the nature of the buyer (wholesaler, retailer, etc.), or the nature of the sale (large, small, cash, credit, etc.) you must place a new purchaser of the same service in the proper purchaser price class.

(b) If you had no such standards, or if the new purchaser does not correspond to any of such standards, you must apply to the appropriate District Office of the OPA for establishment of a maximum price for such new purchaser. The OPA will establish a maximum price in line with your maximum price for sale to those purchasers who most closely re-

semble the new purchaser with respect to volume purchased, nature of business, and location of business.

Your application for the establishment of a price under this section should contain your name and address; a description of the service to be supplied to the new purchaser; the name and address of the new purchaser; the new purchaser's type of business; the prices you are now charging the purchasers who most closely resemble the new purchaser with respect to volume purchased, nature of business, and location of business; and the names and addresses of such purchasers.

Sec. 5. *Additional pricing provisions.* In all cases in which an application for the establishment of a price is to be filed under this regulation, if no price has been established by the OPA within 20 days after mailing the application (or all additional information which may have been requested) the applicant himself may fix a maximum price in accordance with the standards set forth in Section 3 (a) of this Supplementary Service Regulation.

The OPA may revise maximum prices established under this regulation whenever necessary to bring them into conformity with the price standards set by this regulation.

Where no application has been filed, OPA may of its own motion establish maximum prices for any new service which you offer or for sale to any new purchaser whom you first supply after December 31, 1944, and such prices shall be retroactive to the time of the first sale of such service.

Sec. 6. *Failure to file and defective filings.* If you failed to file a complete and correct statement of prices as required by section 14 of Revised Maximum Price Regulation 165, within the time required by that regulation, the Office of Price Administration may fix new maximum prices for you in conformity with the provisions of section 3 (a) of this supplementary service regulation.

Sec. 7. *Geographical applicability.* The provisions of this Supplementary Service Regulation No. 44 shall be applicable to the 48 states of the United States and the District of Columbia.

Sec. 8. *Delegation of authority.* Any Regional Administrator and any District Director who has been authorized to act by the Regional Administrator having jurisdiction over his district, may administer the provisions of this supplementary service regulation.

This Supplementary Service Regulation shall become effective January 1, 1945.

Issued this 27th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19581; Filed, Dec. 27, 1944;
11:37 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[S. O. 80, Amdt. 27]

GRAIN PERMITS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of December, A. D. 1944.

Upon request of the Office of Defense Transportation and the Food Distribution Administration of the Department of Agriculture, and good cause appearing therefor; *It is ordered*, That:

Section 95.19 *Grain permits* (Service Order No. 80, as amended) is hereby continued in effect until December 31, 1945.

It is further ordered, That copies of this amendment be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement; and that notice of this amendment be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-19594; Filed, Dec. 27, 1944;
11:42 a. m.]

Notices

TREASURY DEPARTMENT.

[T. D. 51167]

ORDERS WAIVING COMPLIANCE WITH NAVIGATION LAWS

CONTINUATION OF EFFECTIVENESS

DECEMBER 26, 1944.

All orders waiving compliance with the navigation laws administered by the Treasury Department which are in effect on December 31, 1944, whether issued by the Secretary of the Treasury pursuant to the authority vested in him by the provisions of section 501 of the Second War Powers Act, 1942 (50 U.S.C. Supp. App. 635), or confirmed and continued by him in his order of April 1, 1942 (T. D. 50594; 7 F.R. 2600), are hereby continued in effect pursuant to the authority vested in me by section 501 of the Second War Powers Act, 1942, as extended by the Act of December 20, 1944 (Public Law 509, 78th Congress); *Provided*, That nothing herein contained shall be deemed to continue in effect any such order which, by its terms, is effective only until and including December 31, 1944, or for the duration of the calendar year 1944.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-19500; Filed, Dec. 26, 1944;
4:31 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. SA-97]

AIRCRAFT OF U. S. REGISTRY NC 21752 AND NC 24403

HEARING ON ACCIDENT OCCURRING NEAR SALINE, MICH.

In the matter of investigation of accident involving aircraft of United States Registry NC 21752 and NC 24403 which occurred near Saline, Michigan, on December 24, 1944.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding, that hearing is hereby assigned to be held on Friday, December 29, 1944, at 9:00 a. m. (e. w. t.) at the Huron Hotel, Ypsilanti, Michigan.

Dated at Washington, D. C., December 26, 1944.

JOHN M. CHAMBERLAIN,
Presiding Officer.

[F. R. Doc. 44-19564; Filed, Dec. 27, 1944;
10:48 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 264]

UNLOADING OF AUSTRALIAN WHEAT AT LOS ANGELES, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of December A. D. 1944.

It appearing, that certain cars containing Australian wheat at Los Angeles, California, on the Pacific Electric Railway Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: *It is ordered*, that:

Australian wheat at Los Angeles, California, be unloaded. (a) The Pacific Electric Railway Company, its agents or employees, shall unload forthwith cars listed below, containing Australian wheat now on hand at Los Angeles, California.

LN	90090	CBQ	133349
SP	37842	NYC	234703
ATSF	124013	SP	37540
ATSF	135259	PRR	46375
NP	11497	SLSF	160164
ATSF	146309	NP	54803
NC	15522	CO	11291

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads of Australian wheat have been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17) 15 (2))

It is further ordered that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Pacific Electric Railway Company and upon the Association of American Railroads, Car Serv-

FEDERAL REGISTER, Thursday, December 28, 1944

ice Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-19595; Filed, Dec. 27, 1944;
11:42 a. m.]

[S. O. 266]

UNLOADING OF AUSTRALIAN WHEAT AT LOS ANGELES, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of December A. D. 1944.

It appearing, that certain cars containing Australian wheat on the Union Pacific Railroad Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action; it is ordered, that:

Australian wheat at Los Angeles, California, to be unloaded. (a) The Union Pacific Railroad Company, its agents or employees, shall unload forthwith cars containing Australian wheat, listed below, now on hand at Los Angeles, California.

NP 15545	GMO 31256
NP 20110	MOP 94460
ATSF 124387	ATSF 38080
DRGW 66227	CNW 145000
NYC 130473	

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads of Australian wheat have been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Union Pacific Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-19596; Filed Dec. 27, 1944;
11:42 a. m.]

[S. O. 266]

UNLOADING OF AUSTRALIAN WHEAT AT LOS ANGELES, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of December A. D. 1944.

It appearing, that certain cars containing Australian wheat at Los Angeles, California, on the Southern Pacific Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action; it is ordered, that:

Australian wheat at Los Angeles, Calif. to be unloaded. (a) The Southern Pacific Company, its agents or employees, shall unload forthwith cars listed below, containing Australian wheat now on hand at Los Angeles, California.

SP	27143	GTW	470356
SP	32443	SP	95561
SP	97369	SOU	261574
ATSF	127675	PRR	504063
SP	29105	ATSF	149830
UP	307324	CMSTP&P	701463
MOP	94338	SOU	14160
SOU	13243	CRIP	133571
CMSTP&P	703382	NYC	130439
UP	189294	TP	54453
ERIE	75720	SP	32362
CMSTP&P	18638	GN	51003
SP	20817	SP	15566
SOU	10877	WAP	82289
MOP	34283	SP	92105
ATSF	148590	SP	95699
SP	15707	SP	83084

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads of wheat have been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Southern Pacific Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-19597; Filed, Dec. 27, 1944;
11:42 a. m.]

[S. O. 267]

UNLOADING OF AUSTRALIAN WHEAT AT LOS ANGELES, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of December A. D. 1944.

It appearing, that certain cars, containing Australian wheat at Los Angeles, California, on the Atchison, Topeka and Santa Fe Railway Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action; it is ordered:

Australian wheat at Los Angeles, Calif., to be unloaded. (a) The Atchison, Topeka and Santa Fe Railway Company, its agents or employees, shall unload forthwith cars listed below containing Australian wheat now on hand at Los Angeles, California.

SP	30820	ATSF	138165
S&A	8170	ERIE	72947
ATSF	116392	GT	180458
SP	84396	UP	192330
ATSF	121463	ATSF	147040
ATSF	128243		

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads of Australian wheat have been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon The Atchison, Topeka and Santa Fe Railway Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-19598; Filed, Dec. 27, 1944;
11:42 a. m.]

[S. O. 70-A, Special Permit 749]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, December 20, 1944, by National Produce Company of car MDT 7092, potatoes, now on the Wood Street Terminal, to Evansville Fruit Company, Evansville, Indiana (out on C. M. St. P. & P.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of December 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-19599; Filed, Dec. 27, 1944;
11:43 a. m.]

[S. O. 70-A, Special Permit 750]

RECONSIGNMENT OF ONIONS AT PROVIDENCE,
R. I.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Providence, Rhode Island, December 20, 1944, by G. A. Mercurio Company, of car MDT 3650, onions, now on the N. Y., N. H. & H. RR., to Pioneer Fruit and Commission Co., Hartford, Connecticut (N. Y., N. H. & H.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of December 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-19600; Filed, Dec. 27, 1944;
11:43 a. m.]

[S. O. 70-A, Special Permit 751]

RECONSIGNMENT OF PEAS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois,

December 20, 1944, by Robert L. Berner Company of car PFE 23881, peas, now on the AT&SF Railway, to John P. Nolan Co., Baltimore, Maryland (PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of December 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-19601; Filed, Dec. 27, 1944;
11:43 a. m.]

[S. O. 70-A, Special Permit 752]

RECONSIGNMENT OF APPLES AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Minneapolis, Minnesota, December 21, 1944, by J. M. Wade, Wenatchee, Washington, of car FGE 46460, apples, now on the Great Northern Railway, to J. M. Wade, advise C. F. Olson, Chicago, Illinois (Burl.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of December 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-19602; Filed, Dec. 27, 1944;
11:43 a. m.]

[S. O. 70-A, Special Permit 753]

RECONSIGNMENT OF CABBAGE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Serv-

ice Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, December 21, 1944, by R. E. Schwebs, of car PFE 51538, cabbage, now on the C. & N. W. Railroad at Wood Street Terminal, to R. E. Schwebs, Peoria, Illinois (C. & N. W.), because of railroad error in transmitting reconsigning instructions.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of December 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-19603; Filed, Dec. 27, 1944;
11:43 a. m.]

[S. O. 70-A, Special Permit 754]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, December 21, 1944, by National Produce Company of car IC 50336, onions, now on the C&NW (Morgan Street) to John Heaton Company, Benton, Illinois (C&EI).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of December 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-19604; Filed, Dec. 27, 1944;
11:43 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3770]

HATSUMI SUMIDA

In re: Real property and fire insurance policy owned by Hatsumi Sumida, also known as Mrs. Hatsumi Sumida.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding:

1. That the last known address of Hatsumi Sumida, also known as Mrs. Hatsumi Sumida, is 364 Kako Machi, Hiroshima, Japan, and that she is a resident of Japan and a national of a designated enemy country (Japan);

2. That Hatsumi Sumida, also known as Mrs. Hatsumi Sumida, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, and interest of Hatsumi Sumida in and to fire insurance policy No. 508809, issued by The California Insurance Company, San Francisco, California, such policy insuring the premises described in subparagraph 3-a hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed

to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

That certain parcel of land situate on Atupuni Street, Kapalama, Honolulu, City and County of Honolulu, Territory of Hawaii, described as follows:

Lot 2241-B, area 4,220.0 square feet, of the McInerny Park Tract, as shown on Map 48, filed in the Office of the Assistant Registrar of the Land Court of the Territory of Hawaii with Land Court Application No. 290 of the Trustees under the Will and of the Estate of Bernice P. Bishop, deceased, and being a portion of the land described in Transfer Certificate of Title No. 23,625 issued to Kamehameha Heights Land Company, Limited.

[F. R. Doc. 44-19563; Filed, Dec. 27, 1944;
10:45 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 424]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN EL PASO
AND ODESSA, TEX.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694, 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

¹ Filed as part of the original document.

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and

the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of December 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Dalby Motor Freight Lines, Inc., Lubbock, Tex.

Sunset Motor Lines, San Angelo, Tex.

[F. R. Doc. 44-19446; Filed, Dec. 26, 1944;
11:30 a. m.]

[Supp. Order ODT 3, Rev. 435]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN NEW YORK, N. Y., AND HUDSON AND BERGEN COUNTIES, N. J.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

¹ Filed as part of the original document.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to file tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of December 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Piteo General Trucking Corp., New York, N. Y.

Columbia Haulage, Inc., New York, N. Y.

[F. R. Doc. 44-19447; Filed, Dec. 26, 1944;
11:30 a. m.]

[Supp. Order ODT 3, Rev. 436]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN EVANSVILLE, IND., AND BURNA, KY.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to file tariffs, setting forth any changes in rates, charges, cp-

erations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless other-

wise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of December 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Hayes Freight Lines, Inc., Mattoon, Ill.
Wm. G. Pickering, doing business as Merchants Service Lines, Princeton, Ky.

[F. R. Doc. 44-19448; Filed, Dec. 26, 1944;
11:30 a. m.]

[Supp. Order ODT 3, Rev. 437]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ROCK HILL, S. C., AND CHARLOTTE, N. C.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2, and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully per-

missible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 30, 1944, and shall remain in full force and effect until the termination of

¹ Filed as part of the original document.

the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of December 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

J. Wesley Lowther, doing business as Lowther Trucking Co., Rock Hill, S. C.

G. K. Ehrlich, B. L. Simowitz, T. L. Simowitz, A. L. Simowitz and L. W. Shapiro, co-partners, doing business as National Express, Columbia, S. C.

[F. R. Doc. 44-19449; Filed, Dec. 26, 1944; 11:31 a. m.]

[Supp. Order ODT 3, Rev. 438]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN MOBILE,
ALA., AND PENSACOLA, FLA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of serv-

ice by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of December 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX I

Abb's Transfer and Service Co., Inc., Mobile, Ala.

S. E. Trawick, doing business as Trawick Transfer Co., Bay Minette, Ala.

[F. R. Doc. 44-19450; Filed, Dec. 26, 1944; 11:31 a. m.]

[Supp. Order ODT 3, Rev. 439]

COMMON CARRIERS

COORDINATED OPERATIONS IN MICHIGAN

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to re-

¹ Filed as part of the original document.

quire any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of December 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Edwin J. Hess and Carl T. Hess, copartners, doing business as Hess Cartage Co., Detroit, Mich.

A. F. Posnik, doing business as A. F. Posnik and Co., Detroit, Mich.
Carl Harrison, Detroit, Mich.
Geo. F. Alger Co., Detroit, Mich.

[F. R. Doc. 44-19451; Filed, Dec. 26, 1944;
11:31 a. m.]

[Supp. Order ODT 3, Rev. 447]

COMMON CARRIERS

COORDINATED OPERATIONS IN MISSISSIPPI

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to per-

mit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of December 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Ricks Storage Co., Inc., Jackson, Miss.
E. R. McGehee, doing business as McGehee Transfer & Storage Co., Jackson, Miss.
Leo R. McGehee, doing business as Mississippi Moving & Storage Co., Jackson, Miss.

[F. R. Doc. 44-19452; Filed, Dec. 26, 1944;
11:32 a. m.]

¹ Filed as part of the original document.

[Supp. Order ODT 3, Rev. 448]

COMMON CARRIERS

COORDINATED OPERATIONS IN ILLINOIS AND MISSOURI

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*. That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this

order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of December 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

St. Marys Truck Lines, Inc., St. Genevieve, Mo.

L. A. Tucker Truck Lines, Inc., Cape Girardeau, Mo.

[F. R. Doc. 44-19457; Filed, Dec. 26, 1944;
11:33 a. m.]

[Supp. Order ODT 3, Rev. 451]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ST. LOUIS, MO., EAST ST. LOUIS, ILL., EVANSVILLE, IND., AND POINTS IN ILLINOIS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*. That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this

¹ Filed as part of the original document.

order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of December 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Fred Bonfield, Alfred Bonfield, and Rueben Bonfield, copartners, doing business as Bonfield Brothers Truck Lines, Metropolis, Ill.

Hancock Truck Lines, Inc., Evansville, Ind.
Hayes Freight Lines, Inc., Mattoon, Ill.

[F. R. Doc. 44-19445; Filed, Dec. 26, 1944;
11:29 a. m.]

[Supp. Order ODT 3, Rev. 452]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN DANVILLE, ILL., AND TERRE HAUTE, IND.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority

of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of December 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Hall Freight Lines, Inc., Danville, Ill.

M. F. Niemeyer, doing business as Lovelace Truck Service, Terre Haute, Ind.

[F. R. Doc. 44-19461; Filed, Dec. 26, 1944;
11:35 a.m.]

[Supp. Order ODT 3, Rev. 453]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN SALT LAKE CITY, UTAH, AND EVANSTON, WYO.

Upon consideration of a plan for joint action filed with the Office of Defense

¹ Filed as part of the original document.

Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The

coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of December 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Pacific Intermountain Express Co., Salt Lake City, Utah.

Wm. H. Burdett and J. Glen Burdett, co-partners, doing business as Burdett Transfer Co., Evanston, Wyo.

[F. R. Doc. 44-19453; Filed, Dec. 26, 1944;
11:32 a. m.]

[Supp. Order ODT 3, Rev. 454]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN CALHOUN AND POINTS IN GEORGIA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R.

4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions

¹ Filed as part of the original document.

of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of December 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Dennis Payne, Calhoun, Ga.
C. C. Pettet, Calhoun, Ga.
F. A. Cochran, Calhoun, Ga.

[F. R. Doc. 44-19454; Filed, Dec. 26, 1944;
11:32 a. m.]

[Supp. Order ODT 3, Rev. 455]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN DURHAM
AND POINTS IN NORTH CAROLINA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment,

and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action

hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of December 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

H. E. West, Durham, N. C.
Isaac H. Hill, doing business as I. H. Hill Transfer, Durham, N. C.

J. E. Ladd and J. E. Ladd, Jr., copartners, doing business as J. E. Ladd & Son, Durham, N. C.

E. L. Jones, Durham, N. C.
Jourdan Transfer, Inc., Durham, N. C.

[F. R. Doc. 44-19455; Filed, Dec. 26, 1944;
11:33 a. m.]

[Supp. Order ODT 3, Rev. 458]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN PITTSBURGH AND NEW CASTLE, PA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of

¹Filed as part of the original document.

which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in in-

terest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of December 1944.

C. D. YOUNG,
Deputy Director,

Office of Defense Transportation.

APPENDIX 1

The Norwalk Truck Line Co., Norwalk, Ohio.
Barry Freight Lines, Inc., Pittsburgh, Pennsylvania.

[F. R. Doc. 44-19456; Filed, Dec. 26, 1944;
11:33 a. m.]

[Supp. Order ODT 3, Rev. 459]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN RICE LAKE AND LADYSMITH, WIS.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in

operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the

¹ Filed as part of the original document.

transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of December 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Ernest Robert Koepp, doing business as Koepp Trucking Service, Rice Lake, Wis.

Arthur A. McCue, doing business as Minnesota-Wisconsin Truck Line and McCue Transfer Co., St. Paul, Minn.

Consolidated Freightways, Inc., Minneapolis, Minnesota.

Howard Moland, Clarence Moland, Lothard Moland, and H. T. Moland, copartners, doing business as Moland Bros. Trucking Co., Duluth, Minn.

[F. R. Doc. 44-19480; Filed, Dec. 26, 1944; 11:35 a. m.]

[Supp. Order ODT 3, Rev. 460]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN GREEN BAY AND STURGEON BAY, WIS.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in op-

eration forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writ-

ing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of December 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Anderson Transportation Company, Inc., Sheboygan, Wis.
Northern Transportation Company, Green Bay, Wis.

[F. R. Doc. 44-19459; Filed, Dec. 26, 1944; 11:34 a. m.]

[Supp. Order ODT 3, Rev. 463]

COMMON CARRIERS

COORDINATED OPERATIONS IN NORTH CAROLINA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having

¹ Filed as part of the original document.

Jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrange-

ments made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective December 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of December 1944.

C. D. YOUNG,
Deputy Director,

Office of Defense Transportation.

APPENDIX 1

F. M. Bridges, Shelby, N. C.

A. V. Dedmon, doing business as Dedmon Bros., Shelby, N. C.

T. G. Howell, doing business as Howell Transfer Co., Shelby, N. C.

[F. R. Doc. 44-19458; Filed, Dec. 26, 1944;
11:34 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 136, Order 389]

INTERNATIONAL RESISTANCE CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 389 under Maximum Price Regulation No. 136, as amended. Machines and parts, and machinery services. International Resistance Company, Docket No. 6083-136.25a-119.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1390.25a of Maximum Price Regulation No. 136, as amended; *It is ordered*:

(a) The maximum prices for sales by International Resistance Company, 401 North Broad Street, Philadelphia, Pennsylvania, of all products manufactured by it, except those manufactured by its Connector Division, shall be determined by multiplying by 105% the net price it had in effect to each class of purchaser just prior to the issuance of this order.

(b) The maximum prices of resellers for the sale of any product manufactured by the International Resistance Company, except those manufactured by its Connector Division, shall be determined as follows: The reseller shall increase the maximum net price he had in effect to each class of purchaser just prior to the issuance of this order by the amount, in dollars and cents, by which his cost has been increased due to the adjustment granted the International Resistance Company by this order.

(c) International Resistance Company shall give written notification to the resellers mentioned in paragraph (b) of this order of the amounts in dollars and cents by which this order permits them to increase their maximum prices.

(d) On or before April 1, 1945, the International Resistance Company shall file with the Machinery Branch of the Office of Price Administration, Washington 25, D. C., profit and loss statements for the entire Company, and for its Connector Division separately, for the calendar year 1944.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) All requests not granted herein are denied.

(g) This order shall become effective when the International Resistance Company puts into effect the wage rates approved by Regional War Labor Board III on September 12, 1944.

Issued this 26th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19523; Filed, Dec. 26, 1944;
5:11 p. m.]

[MPR 136, Order 390]

NATIONAL TRAILER CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 390 under Maximum Price Regulation No. 136, as amended. Machines and parts and machinery services. National Trailer Corporation, Docket No. 6083-136.25a-23.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended; *It is ordered*:

(a) National Trailer Corporation, 1000 North 9th Street, Elwood, Indiana, is authorized to sell each of its house trailers at a price not to exceed a list price of \$1,415.00 (subject to the discounts, charges, allowances and terms of delivery in effect on March 31, 1942).

(b) A reseller of the house trailers mentioned in paragraph (a) is authorized to sell each of these house trailers at a price not to exceed the total of the following (subject to the discounts, charges, allowances and terms of delivery in effect on March 31, 1942):

(1) The reseller's maximum price duly in effect just prior to the issuance of this order; and

(2) The applicable dollars-and-cents amount of the increase in maximum price granted to the National Trailer Corporation; and

(3) The reseller's customary markup on such increase.

(c) On or before June 15, 1945, National Trailer Corporation shall file with the Office of Price Administration, Washington, D. C., a detailed statement of total unit costs as of June 1, 1945, for its house trailer.

(d) National Trailer Corporation shall give written notification to resellers of its house trailers, of the amounts by which this order permits them to increase their maximum prices.

(e) Within 30 days after the issuance of this order, National Trailer Corporation shall file with the Office of Price Administration, Washington, D. C., a copy of the written notification required to be given in pursuance of paragraph (d).

(f) All requests not granted herein are denied.

(g) This order may be amended or revoked by the Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19521; Filed, Dec. 26, 1944;
5:12 p. m.]

[MPR 149, Amdt. 1 to Order 41]

MECHANICAL RUBBER GOODS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1315.30a of Maximum Price Regulation No. 149, *It is ordered*, That paragraph (a) of Order No. 41 be amended to read as follows:

(a) *Applicability of this order.* Notwithstanding any other provisions of Maximum Price Regulation No. 149, this order is applicable to sales by a manufacturer of the molded and extruded mechanical rubber goods listed in § 1315.35, Appendix B of the regulation, for which the manufacturer had a regularly quoted price (as defined in § 1315.31 (a) (7) of the regulation), and in the manufacture of which Buna-S (GR-S) has been substituted for natural rubber, except the following:

Brake linings and clutch facings
Flooring, mats and matting
Foamed latex products
Hard rubber goods
Oil well specialties
Rubber covered rolls
Sponge rubber goods

This amendment shall become effective December 27, 1944.

Issued this 26th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19528; Filed, Dec. 26, 1944;
5:10 p. m.]

[MPR 188, Amdt. 21 to Order A-2]

CERTAIN DURABLE GOODS

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (a) (16) of Order A-2 under Maximum Price Regulation No. 188, is amended in the following respects:

1. Subdivision (ii) is amended by deleting the following from the list of commodities set forth therein:

Occasional wood chairs, including chairs with padded seats.

2. Subdivision (ii) is amended by adding to the list of commodities set forth therein the following:

Dinette sets.
Odd kitchen tables.
Dining room suites.
Wood shoe trees.
Photographic mounts, cardboard.
Mechanical pencils.
Awnings.
Seat covers.
Wood chairs, rockers, benches and stools, including those with padded seats.
Razor blade sharpeners.
Household kneehole desks.
Unpainted bookcases for household use.

This amendment shall become effective on the 29th day of December 1944.

Issued this 26th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19520; Filed, Dec. 26, 1944;
5:10 p. m.]

[MPR 149, Amdt. 1 to Order 41]

MECHANICAL RUBBER GOODS

ADJUSTMENT OF MAXIMUM PRICES

[MPR 188, Order 74 under Order A-2]

DON P. SMITH CHAIR CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (a) (16) of Order A-2 issued under § 1499.159b of Maximum Price Regulation No. 188; it is ordered:

(a) *Manufacturer's maximum prices.* Don P. Smith Chair Co., Inc., Loudon, Tennessee, may adjust its maximum prices for sales and deliveries of the household wood chairs, rockers, stools and vanity benches which it manufactures by the amounts set forth below, resulting in the adjusted maximum prices appearing opposite each article in the following schedule:

Article	Pattern No.	Permitted adjustment per 100 units		Adjusted maximum price per 100 units	
		On sales to mail order houses	On sales to wholesalers	On sales to mail order houses	On sales to wholesalers
Chair	26-1233	\$4.04	9.98	\$111.14	112.88
	197			\$2.57	\$341.17
Rocker	515			5.38	181.78
	(24", 8-rung)			8.58	78.93
Stool	36", 8-rung			12.91	85.36
	130", 12-rung			10.00	87.70
Bench	75-184			4.71	122.31
	184			4.71	122.31
Juvenile rocker	301			7.01	72.11

The adjusted maximum prices include the adjustment charge permitted by Order No. 1052 under Maximum Price Regulation No. 188 and no additional adjustment charge may be made. The adjustment authorized by this order may be made and collected only if separately stated. The adjusted maximum prices

are subject to the manufacturer's customary discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Purchasers for resale of the articles covered by this order may not increase their properly established maximum prices, in effect immediately prior to the effective date of this order, by any amount, except that wholesalers may continue making the adjustment charge permitted by Order No. 1052 under Maximum Price Regulation No. 188 in the same amounts as they did prior to the issuance of this order.

(c) *Notification.* At the time of or before the first invoice to each purchaser for resale of an article covered by this order, at an adjusted price permitted by this order, the seller must furnish the purchaser with a written notice giving the number of this order, the adjustments which the manufacturer is permitted to make, and notifying him in detail of the provisions of paragraph (b) of this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 30th day of December 1944.

Issued this 26th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19518; Filed, Dec. 26, 1944;
5:09 p. m.]

[Supp. Order 94, Order 17]

UNITED STATES TREASURY DEPARTMENT,
PROCUREMENT DIVISION

SPECIAL EXEMPTION OF SALES OF CERTAIN
U. S. ARMY GAS HOODS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94: *It is ordered:*

(a) Notwithstanding the provisions of any regulation or order issued prior to the effective date of this order by the Office of Price Administration, sales by the Treasury and by any subsequent reseller of the following described gas hoods are exempt from price control:

(1) Gas hoods, chemically treated cloth with extension hood, elastic drawstring, metal snap clasp, olive drab color, and water and gas repellent.

(b) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective December 27, 1944.

(56 Stat. 23,765; 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 26th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19527; Filed, Dec. 26, 1944;
5:10 p. m.]

[RMPR 436, Order 35]

CRUDE PETROLEUM IN ILLINOIS, INDIANA, KANSAS, NEW MEXICO, OKLAHOMA, TEXAS, AND WYOMING

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436; *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after December 1, 1944, and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

Pool	County and State	Amount of increase (dollars per 42-gallon barrel)
St. Francisville East	Knox, Ind.	\$0.20
St. Francisville	do	.35
Whitetail	Osage, Okla.	.35

(c) This order may be revoked, amended or corrected at any time.

This order shall become effective as of December 1, 1944.

Issued this 26th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19526; Filed, Dec. 26, 1944;
5:11 p. m.]

[MPR 528, Order 23]

GOODYEAR TIRE AND RUBBER CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for the following sizes and types of new tires manufactured by The Goodyear Tire & Rubber Company, Inc., Akron, Ohio, shall be:

(1) Solid industrial tires.

	Maximum retail price per tire	
	East	West
15 x 3 x 11 1/4	\$14.05	\$15.10
17 x 6 x 12 1/2	34.65	26.50

(2) "East" and "West" shall have the meaning given these terms in the manufacturer's price list for Solid Industrial Tires in effect on February 1, 1944.

(3) All purpose (super traction) truck tires.

Size	Ply	Maximum retail price per tire
6.00-16	6	\$22.00
7.00-20	8	38.25
7.00-20	10	49.80
7.60-20	10	66.45

(b) All provisions of Maximum Price Regulation 538 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19518; Filed, Dec. 26, 1944;
5:09 p. m.]

WAR PRODUCTION BOARD.

[C-237]

LAW'S FOOD SERVICE

CONSENT ORDER

Alton C. Law, individually and doing business as Law's Food Service, with principal offices at Wolcott Boulevard, Toledo, Ohio, is engaged in business as a caterer and a concessionaire, and as such purchases and uses hot-drink cups.

The company was charged by the War Production Board with having used, during June, July, August and September 1944, 90,000 hot-drink cups in excess of its quota, in violation of War Production Board Limitation Order L-336.

Law's Food Service admits the violations as charged, does not desire to contest the charges as made, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Law's Food Service, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner; *It is hereby ordered, That:*

(a) Alton C. Law, individually and doing business as Law's Food Service, or under any other name, his and its successors or assigns, shall, from the effective date of this order until and including March 31, 1945, use at least 90,000 hot-drink cups less than its quota as authorized by any order, regulation or authorization of the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Alton C. Law, individually and doing business as Law's Food Service, or under any other name, his and its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the 26th day of December 1944, and shall expire April 1, 1945.

Issued this 18th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-19506; Filed, Dec. 26, 1944;
4:49 p. m.]

[C-239]

G. (GEORGE) W. PEARSON

CONSENT ORDER

G. (George) W. Pearson, doing business as an individual of Birmingham, Alabama, is and has been for a number of years engaged in the business of a building contractor. In May, 1944, G. (George) W. Pearson began and continued the construction of a manufacturing unit having a productive floor area of only approximately 2,167 feet at or near 1712 Warrior Road, Birmingham, Alabama, for Dixie Type and Supply Company and at an estimated cost in excess of the \$200.00 limit permitted by War Production Board Conservation Order No. L-41 and in violation thereof.

G. (George) W. Pearson admits the violation and does not care to contest the issue of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of G. (George) W. Pearson, the Regional Compliance Chief and Regional Attorney, and upon the approval of the Commissioner, *It is hereby ordered*, That:

(a) For a period of ninety days from the effective date of this order neither G. (George) W. Pearson, his successors or assigns, nor any persons in his behalf, shall apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used.

(b) Nothing contained in this order shall be deemed to relieve G. (George) W. Pearson, his successors or assigns, or any other person in his behalf, from any restrictions, prohibitions or provisions contained in any other order or regulations of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on December 26, 1944.

Issued this 26th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-19504; Filed, Dec. 26, 1944;
4:48 p.m.]

[C-240]

FLOYD E. WIEST
CONSENT ORDER

Floyd E. Wiest, R. F. D. No. 1, Morral, Ohio, is charged by the War Production Board with having begun on March 15, 1944, and thereafter carried on construction of a farm residence on his farm in Pitt Township, Wyandot County, Ohio, at an estimated cost of about \$3500, without authorization of the War Production Board, and continued it after an application for authority to enter into

construction on W. P. B. Form 617 had been denied, in violation of Conservation Order L-41.

Floyd E. Wiest admits the violation and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Floyd E. Wiest, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither Floyd E. Wiest, his successors or assigns, nor any other person, shall do any construction on the property owned by him and located in Pitt Township, Wyandot County, Ohio, including putting up or altering any structure located on the said premises, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Floyd E. Wiest, his successors or assigns, from any restrictions, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 26th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-19505; Filed, Dec. 26, 1944;
4:49 p. m.]

WAR SHIPPING ADMINISTRATION. UNNAMED CRUISER

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress).

Whereas on August 20, 1942 title to the vessel Unnamed Cruiser (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: December 26, 1944.

E. S. LAND,
Administrator.

[F. R. Doc. 44-19605; Filed, Dec. 27, 1944;
11:58 a.m.]